

**DIRECTORS' MEETING**  
**MONDAY, MAY 10, 2004 - 11:00 A.M.**  
**CONFERENCE ROOM 113**

**I. MAYOR**

- \*1. Washington Report - April 23, 2004.
- \*2. NEWS ADVISORY - RE: Mayor Seng will have a news conference at 10:00 a.m., Thursday, April 29<sup>th</sup> - The Streets, Roads and Trails Committee, appointed by the Mayor in January, will present its report on financing streets in Lincoln - (See Release)
- \*3. NEWS RELEASE - RE: Mayor's Streets, Roads and Trails Committee Announces Community Dialogue On A Plan For Building Lincoln's Future - (See Release)
- \*4. Report - RE: Building Lincoln's Future ... Mayor's Advisory Committee Streets, Roads, and Trails - 2004 April - Interim Report - SRT Committee. - (Council copies placed in their Thursday packets on 4/29/04-Patte & Terry received a copy of it already)(Copy of this Report is on file in the City Council Office)
- 5. Washington Report - April 30, 2004.
- 6. NEWS ADVISORY - RE: Mayor Coleen Seng will participate in a ground breaking ceremony for CenterPointe's new adult residential program at 9:30 a.m., Thursday, May 6<sup>th</sup> - (See Release)
- 7. NEWS RELEASE - RE: Construction Under Way On New CenterPointe Residential Facility - (See Release)
- 8. NEWS RELEASE - RE: Portion Of North 14<sup>th</sup> To Close For Construction & Lane Of "O" Street To Close For Improvements - (See Release)

**II. CITY CLERK**

### III. CORRESPONDENCE

#### A. COUNCIL REQUESTS/CORRESPONDENCE

##### ANNETTE McROY

1. OUTSTANDING Request to Public Works & Utilities Department/  
**Lancaster County Engineering** - RE: Future plans for NW 4<sup>th</sup> 48th Street  
(RFI#147 - 3/18/04) - (Sent Corrected Copy out on 3/22/04). — 1.) **SEE  
RESPONSE FROM RANDY HOSKINS, PUBLIC WORKS &  
UTILITIES DEPARTMENT RECEIVED ON RFI#147 - 3/26/04.**
2. OUTSTANDING Request to **Law Department/** Animal Control - RE: Cats  
leash Law - (RFI#149 - 04/23/04). — 1.) **SEE RESPONSE FROM  
BRUCE DART, HEALTH DEPARTMENT DIRECTOR RECEIVED  
ON RFI#149 - 5/04/04.**

##### PATTE NEWMAN

1. OUTSTANDING Request to **Ernie Castillo, Wynn Hjermstad, Marc  
Wullschleger, Urban Development Department/** Terry Bundy, LES/  
Allan Abbott, Public Works & Utilities Director/**Mike DeKalb, Marvin  
Krout, Planning Department/Lynn Johnson, Parks & Recreation  
Director** - RE: Signs or banners identifying individual neighborhoods -  
(For Witherbee and Eastridge area) - (RFI#20 - 3/24/04). — 1.) **SEE  
RESPONSE FROM TERRY BUNDY, LES RECEIVED ON RFI#20 -  
4/12/04.**
2. OUTSTANDING Request to **Nicole Fleck-Tooze, Dennis Bartels, Allan  
Abbott, Public Works/Tonya Skinner, Dana Roper, City Law  
Dept./Marvin Krout, Planning** - RE: A resident of the Easthart  
Neighborhood a problem they had in their development - the commons area  
between 78<sup>th</sup> St. & Maxey School - (RFI#21- 4/29/04)
3. OUTSTANDING Request to **Nicole Fleck-Tooze, Allan Abbott, Public  
Works & Utilities Department** - RE: A constituent in the 8200 block of  
"A" Street - the City is asking their homeowner's association to pay for  
maintenance of a commons area - (RFI#22 - 4/29/04)

## **JON CAMP**

- \*1. Letter from Tim Johnson to Jon Camp - RE: To express my hope that the original language in the recently passed floodplains ordinance be re-instated - (See Letter)
- \*2. Memo from Bill Bucher, Principal Lux Middle School to Jon Camp - RE: StarTran Bus Route - (See Memo)
- 3. E-Mail from Marcia Matthies to Jon Camp - RE: "A" Street Restriping 10<sup>th</sup> to 27<sup>th</sup> - (See E-Mail)
- 4. E-Mail from Jon Camp to J. Callen - RE: Sediment concerns - (See E-Mail)

## **TERRY WERNER**

- 1. OUTSTANDING Request to **Public Works & Utilities Department** - RE: Planned Work at Warlick Blvd./Old Cheney Road/Creekside Drive - (RFI#126 - 04/21/04)
- 2. Request to Allan Abbott, Public Works & Utilities Director - RE: Proposed Changes on "A" Street - 10<sup>th</sup> to 27<sup>th</sup> - (RFI#127 - 5/03/04)

## **GLENN FRIENDT**

- 1. Request to Marc Wullschleger, Urban Development Director - RE: AHNA Steering Committee Report - (RFI#30 - 4/28/04). — **1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#30 - 5/04/04.**
- 2. Request to Allan Abbott, Public Works & Utilities Department - RE: "A" Street center lane traffic (RFI#32 - 5/03/04)

## **GLENN FRIENDT & ANNETTE McROY**

- 1. Request to Allan Abbott, Public Works & Utilities Director/Police Chief Tom Casady - RE: Traffic safety on South 25<sup>th</sup> Street from N to J - (GF--RFI#31&AM--RFI#150). — **1.) SEE RESPONSE FROM POLICE CHIEF TOM CASADY RECEIVED ON RFI#31-GF & RFI#150-AM.**

## **JONATHAN COOK**

1. Request to Health Department - RE: Smoking Law - (RFI#112 - 4/30/04).  
— 1.) **SEE RESPONSE FROM BRUCE DART, HEALTH DEPARTMENT DIRECTOR RECEIVED ON RFI#112 - 5/04/04.**
2. Request to Public Works & Utilities Department - RE: Detour Traffic Problems - (RFI#113 - 5/04/04)

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **CITY LAW DEPARTMENT**

1. Inter-Department Communication from Tonya Skinner - RE: Bill No. 04-92  
- This memo is an attempt to summarize the proposed amendments to the Lincoln Smokefree Air Act - (Council received copies of this memo on 5/3/04) (See Memo)

### **FINANCE DEPARTMENT/CITY TREASURER**

- \*1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased April 19, 2004 thru April 23, 2004.
2. Material from Don Herz, Finance Director & Joel L. Wittrock, Assist. City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased April 26, 2004 thru April 30, 2004.

### **FINANCE/INFORMATION SERVICES**

1. Response E-Mail from Jim Walkenhorst - RE: E-Mail received from Douglas W. Lambert request of some information - dog tag licenses - (See E-Mail)

### **FIRE DEPARTMENT**

- \*1. Letter from Fire Chief Mike Spadt to James E. Kamas - RE: His billing concerns - (See Material)

## **HEALTH DEPARTMENT**

- \*1. NEWS RELEASE - RE: National Infant Immunization Week from April 25<sup>th</sup> to May 1<sup>st</sup> - (See Release)
- \*2. NEWS RELEASE - RE: News Conference Today - Mayor Seng will kick off National SAFE KIDS Week with a news conference to highlight the week's activities - (See Release)
- \*3. NEWS RELEASE - RE: Free Family Safety Event Set For May 7 - Local coalition focusing on water safety as part of National Safe Kids Week - (See Release)
- \*4. Letter from Bruce Dart to Irma Sarata - RE: Your concerns about the development of Long View Estates and will try to respond to those areas that are relevant to the regulations of the Lincoln/Lancaster County Health Dept. (LLCHD) - (See Letter)
- 5. NEWS RELEASE - RE: Events Scheduled For Women's Health Month - (See Release)
- 6. Memo from Harry A. Heafer - RE: Keep America Beautiful's Cigarette Litter Prevention Research Program - (See Memo)

## **LIBRARY**

- 1. NEWS RELEASE - RE: Reading Programs Offered This Summer @ your library - (See Release)
- 2. NEWS RELEASE - RE: Golden Sower Book Discussion Group - Teachers & Media Specialists Invited to Take Part - (See Release)

## **PARKS & RECREATION DEPARTMENT**

- 1. Response E-Mail from Jerry Shorney to Kathy Dixon - RE: CHNA trash container - (See E-Mail)

## **PLANNING**

- \*1. - 2004 Annual Review Lincoln/Lancaster County Comprehensive Plan - 2025 Comprehensive Plan - Planning Commission Edition - April 28, 2004. (Council received their copies of this Material on 4/29/04 in their Thursday packets)(Copy on file in the City Council Office)
- 2. Annexation by Ordinance - Ordinance No. 18333 - Effective Date: April 20, 2004 - 13.28 Acres.
- 3. Letter from Becky Horner to Michael Johnson, Olsson Associates - RE: Eagle Crest 3<sup>rd</sup> Addition Final Plat #03055. - (See Letter)

## **PLANNING COMMISSION FINAL ACTION .....**

- \*1. Special Permit No. 04018 (Private vocational/technical school - No. 27<sup>th</sup> & Old Dairy Road) Resolution No. PC-00861.
- \*2. Special Permit No. 1778B (Extension of excavation permit north and east of 56<sup>th</sup> Street & Arbor Road) Resolution No. PC-00859.
- \*3. Waiver No. 04006 (W. Stockwell Street and S. Folsom Street) Resolution No. PC-00860.

## **PUBLIC WORKS & UTILITIES DEPARTMENT**

- \*1. Public Works & Utilities ADVISORY - RE: 84<sup>TH</sup> Street Water Main and Roadway Improvements Are Beginning Project 700779. - (See Advisory)
- \*2. Letter from Ben Higgins to Robert D. & Elizabeth C. Smith - RE: Sevenoaks 9<sup>th</sup> Addition, Outlot A - (See Letter)
- \*3. Memo from Ben Higgins - RE: Pine Lake Heights Homeowners Association Pond - (See Memo)
- 4. Letter from Dennis Bartels to Jan Cepure - RE: Concerning the poor drainage and street conditions in 63<sup>rd</sup> Street south from Fremont approximately 2-1/2 blocks - (See Letter)

5. Response E-Mail from Randy Hoskins to Rick Reeble - RE: "A" Street Project - (See E-Mail)
6. Public Works & Utilities ADVISORY - RE: Water Main Project 500200 - North 14<sup>th</sup> Street; Superior Street - Fletcher Street.

## **REAL ESTATE DIVISION**

1. Interoffice Memo from Clinton W. Thomas - RE: Street & Alley Vacation No. 03020 East-West Alley between South and Saylor Streets, west of 55<sup>th</sup> Street - (See Memo)

## **WEED CONTROL AUTHORITY**

1. Combined Weed Program - City of Lincoln - April 2004 Monthly Report.

## **C. MISCELLANEOUS**

- \*1. E-Mail from Jennifer M. Perry & David DiLillo - RE: Parking on A Street in front of Trinity United Methodist Church - (See E-Mail)
- \*2. Letter from Lisa M. Peterson - RE: Writing to ask you to change the (d) portion of 9.20.050 to an infraction versus a misdemeanor - 9.20.050 is the disturbing the peace law and the (d) portion makes operating any radio, tape player, compact disc player, stereophonic sound system or similar device audible to other persons in public places more than fifty feet from the source a misdemeanor or criminal offense with a minimum fine of \$150 - (See Letter)
- \*3. 3 - E-Mail's from Cheryl Richter; Janis J. Heim; Quentin & Mary Murrell; - RE: Changes to A Street - (See E-Mail's)
- \*4. E-Mail from Karin Fuog - RE: StarTran route from Lux to Vintage Heights - (See E-Mail)
- \*5. E-Mail from Sue Kirkland, Administrative Assistant, Trinity United Methodist Church - RE: "A" Street - (See E-Mail)

- \*6. E-Mail from Douglas Lambert, Lambriar Animal Health Care LLC in Kansas, which was forward to Jim Weverka, Animal Control Chief - RE: Dog tag licenses - (See E-Mail)
- \*7. E-Mail from Brenda & David Kubicek - RE: A Street Project - (See E-Mail)
- \*8. E-Mail from Sara Friedman - RE: The Flood Plain issue - (See E-Mail)
- \*9. E-Mail from Cindy Mefford - RE: "A" Street Turning Lane Project - (See E-Mail)
- \*10. Letter & Material from Russell Miller - RE: The Flood Plain issue - (See Material)
- 11. E-Mail from Mary Ann Bede - RE: "A" Street Changes - ( See E-Mail)
- 12. E-Mail from Rick Reeble - RE: "A" Street Project - (See E-Mail) (Note: Response E-Mail from Randy Hoskins, Public Works & Utilities Department to Rick Reeble under "Public Works & Utilities Dept. - #5".)
- 13. E-Mail from Carmen K. Maurer - RE: Changes to Parking on "A" Street - (See E-Mail)
- 14. Faxed letter from Michael Storey - RE: Smoking is optional, breathing is not - (See Letter)
- 15. Article - RE: HomeServices CEO earns Realtor of the Year honor - (See Article)
- 16. Letter from Penny Pueppke - RE: The elimination of parking along "A" Street - between 15<sup>th</sup> & 16<sup>th</sup> - (See Letter)
- 17. Letter from Teri Gonzalez & Family - RE: Flood Insurance costs - (Council received copies of this letter on 5/3/04) (See Letter)
- 18. Letter from Mary Roseberry-Brown, President, Friends of Wilderness Park - RE: Submits the following two amendments to the proposed Flood Standards for New Growth Areas: - (See Letter)



19. E-Mail from Mike Carlin with response from Joan Ray - RE: Clarification - the new growth area flood plain standards - (See E-Mail)
20. E-Mail from Susan Sapp & E. Wayne Boles - RE: "A" Street Striping Project - (See E-Mail)
21. E-Mail from Dave Brady - RE: 84<sup>th</sup> Street Construction - (See E-Mail)
22. Material from Michael Kane - RE: The Mayor - (See Material)
23. E-Mail from John Layman - RE: New Floodplain Ordinance - (See E-Mail)
24. E-Mail from Cindy Williams, Director of Youth Ministries, Trinity United Methodist Church - RE: "A" Street - (See E-Mail)
25. E-Mail from Walter A. Canney - RE: Smoke free work place - Lawrence (KS) Passes Smokefree Workplace Legislation - (See E-Mail)
26. E-Mail from Rebecca Burt - RE: "A" Street - (See E-Mail)

#### **IV. DIRECTORS**

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#### **V. CITY COUNCIL MEMBERS**

#### **VI. ADJOURNMENT**

**\*HELD OVER FROM MAY 3, 2004.**

# Washington Report

Vol. 10 No. 11  
 April 30, 2004

City of Lincoln -- Washington Office

## Senate Set to Move Internet Tax Bill Again

### INSIDE

RECEIVED

Internet Tax APR. 30. 2004  
 Transportation CITY COUNCIL 2  
 Housing OFFICE 2  
 Homeland Security 2  
 Federal Register 3

**Washington Report  
 Archives Available  
 on the Internet at:**

[www.capitaledge.com/  
 archive.html](http://www.capitaledge.com/archive.html)

### Internet Tax

#### Washington Report

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### Internet Tax

Senate passes four-year moratorium after bill sponsors make some concessions. By an overwhelming margin of 93-3, the Senate passed legislation (S 150) that would impose a four-year moratorium on multiple and discriminatory taxation of the Internet and on taxation on Internet access by state and local governments. Passage came after the bill sponsors agreed to a substitute amendment offered by Senator John McCain (R-AZ) limiting the moratorium to four years as opposed to permanent and carving out telephone called made using Voice Over Internet Protocol (VOIP) from the moratorium. Both provisions can be counted as major victories for local governments.

In another important victory for local governments, Senator Kay Bailey Hutchison (R-TX) engineered a colloquy with the three principal sponsors of S 150, Senators George Allen (R-VA), Ron Wyden (D-OR) and John McCain (R-AZ), during which all three of them agreed that it was not their intention in this legislation to preempt franchise fees or other similar fees collected by local governments, such as line access fees in Texas, as compensation for the use of public rights-of-way. All three also agreed to work in Conference Committee to ensure that the final bill does not affect franchise fees. The colloquy came in the wake of heated last minute negotiations in the cloak room during which Hutchison and Senator Dianne Feinstein (D-CA) passionately advocated the state and local government position.

The champions of state and local governments, led by Senators Lamar Alexander (R-TN), Thomas Carper (D-DE), Hutchison and Feinstein were also successful in extending the bill's grandfathering of pre-November 1998 taxes on Internet access from three years to four years when the Senate unanimously adopted an amendment to that effect offered by Senator Trent Lott (R-MS).

However, they failed on a similar amendment offered by Feinstein to extend the grandfathering of taxes on digital subscriber lines (DSL) imposed prior to November 2003 from two years to four years. The Feinstein amendment was tabled, or killed, by a vote of 59-37. They also failed to amend the bill's definition of "Internet access" to exempt what is called the "backbone" of the Internet from the moratorium. A competing bill (S 2084) sponsored by Alexander and Carper would have limited that definition so as to protect only the so-called "last mile" of the Internet from taxation, leaving state and local governments free to tax large scale transactions between telecommunications and Internet service providers. Alexander and Carper argued that this would meet the goal of protecting consumers from undue taxation while preserving most state and local revenue. Opponents countered that it would make the backbone of the Internet akin to a toll highway and would stymie the deployment of broadband technology.

The Senate unanimously adopted an amendment offered by Senator Frank Lautenberg (D-NJ) that would require the General Accounting Office to complete a detailed analysis of the moratorium's effect on state and local governments and on broadband deployment.

S 150 now heads to a House-Senate Conference Committee with legislation (HR 49) passed by the House last year. HR 49 calls for a permanent moratorium, does not grandfather DSL and does not include a carve out for VOIP. Though an actual meeting of the Conference Committee may be stalled by Democratic protests in the Senate, all local elected officials should take every opportunity to encourage their congressional delegation to support a final bill that looks as much as possible like S 150.

## Transportation

Congress passes two-month extension of TEA-21, negotiations with White House continue. After a few tense moments on the Senate floor, lawmakers approved the third temporary extension of the surface transportation authorization bill. Partisan fighting nearly derailed the relatively noncontroversial extension, which the House passed unanimously by earlier in the week, as Senate Environment and Public Works Transportation and Infrastructure Subcommittee Chairman Christopher Bond (R-MO) put a temporary hold on the extension legislation (HR 4219). Without another extension of existing law, which is set to expire today, the Department of Transportation notified more than 5,000 employees of the possibility that they would be furloughed and unable to report to work May 3.

Controversy began early yesterday on the Senate floor as Bond proposed a unanimous consent agreement that would appoint 11 Republican and 10 Democratic conferees to the joint House-Senate Conference Committee, which will meet to reconcile the differences between the House and Senate bills (HR 3550/S 1072). Senate Minority Whip Harry Reid (D-NV) objected to Bond's request attempting instead to simply pass the two-month extension. Bond objected to Reid's request, citing his displeasure with Senate Democrats in their reluctance to appoint conferees. Reid Senate Minority Leader Tom Daschle (D-SD) have pushed to "preconference" the reauthorization bill with House conferees, hoping that this informal negotiation process would help to circumvent the perception that the Republican leadership have recently tended to not include Democrats in formal conferences. To date, Senate Republican leaders have refused to grant this request.

Bond finally removed the hold on the extension measure late last night as Senate Majority Leader Bill Frist (R-TN) announced that he would use procedural techniques during the week of May 3 to put the Senate on record regarding the appointment of conferees.

In related news, House and Senate Republican leaders met yesterday with White House Chief of Staff Andrew Card to discuss the overall price tag of the six-year authorization bill. While there are few details regarding the meeting, one observer stated that the only thing participants could agree on was that they could not agree on an overall funding level and that discussions were "heated" at times. After the meeting, Frist commented that "lots of numbers were discussed" and that they will "continue to work over the weekend." The White House has threatened to veto any bill that exceeds its \$256 billion dollar proposal.

## Housing

Section 8 housing at risk under new rules. The Bush Administration and the Department of Housing and Urban Development (HUD) are changing the payment method for the Section 8 Housing Program under a guidance recently released by HUD. The changes are being implemented with the central goal of reducing the spiraling costs of the program, which now comprises almost half of the HUD budget or around \$15 billion in Section 8 housing. However, housing authorities worry that the new regulations put the many disabled, elderly and low-income, working families that depend on the program at risk of losing their housing. In short, the guidance transforms Section 8 from a unit-based program to a dollar-based program; essentially turning it into what some believe is a block grant.

The FY 2004 HUD appropriations language stated that renewing costs for the Section 8 program should be based on local and regional factors. In response to the language, the Administration announced that they would no longer reimburse local housing authorities based on actual current voucher costs. Instead, HUD is now issuing payments based on the vouchers under lease on August 1, 2003, adjusted for inflation. Rumor has it that due to this change in payment, the program is short 50,000 vouchers and \$300 million. Due to the uncertainty of the housing vouchers funding level, many private

sector partners of the program, such as landlords, homebuilders, mortgage lenders, are choosing not to participate in Section 8 any longer which diminishes the inventory of affordable housing. In addition, HUD claims that many Public Housing Authorities (PHAs) have distributed more vouchers than they had the funds to allocate and the recently released guidance requires payback that, in some cases, must be paid within a few months because of the timing of the individual PHAs fiscal year.

While HUD claims that they are merely doing what Congress told them to do, many believe that the intent of Congress was for HUD to fully fund the Section 8 program. Moreover, HUD has the funds and the power to replenish reserves for the PHAs in order to cover unanticipated operating costs; however, the reserves remain depleted. HUD appears unwilling to take less drastic steps to address the problem, such as using a quarterly funding determination as opposed to the one year determination, using a better inflation factor, or replenishing the PHA reserve.

Local government organizations are encouraging their members to contact their Congressional delegation to send HUD the message to repeal the new guidance for the Section 8 program and return to the old funding formula.

## Homeland Security

House Subcommittee takes closer look at "success" of Homeland Security grants. On Wednesday the House Select Committee on Homeland Security Subcommittee on Emergency Preparedness and Response held a hearing to examine first responder assistance programs that are being administered by the Office of Domestic Preparedness (ODP) at the Department of Homeland Security (DHS).

During the hearing, full Committee Chairman Christopher Cox (R-CA) thanked the Administration for its commitment to first responders by increasing the funding by approximately 200% since 2001 but were quick to point out that "roughly \$5.2 billion in Department of Homeland Security (DHS)

grant money remains in the administrative pipeline, waiting to be used" by first responders. Cox continued by saying that the funding was not necessarily going to places that most need it. Though Cox blamed the congressionally mandated formula that has a minimum guaranteed of funding for each state that determine show 40 percent of the funds are allocated, he also took the Administration to task for allocating the remaining 60 percent of funds disproportionately to small states. Cox commended the Administration for suggesting a new formula and proffered the formula included in legislation (HR 3266) he has sponsored that is designed to distribute homeland security funds according to need and population. Representative Jim Turner (D-TX), the ranking Democrat on the full Committee, agreed that the formula should be changed and echoed Cox's support for HR 3266.

Responding to those remarks, ODP Director Sue Mencer testified that ODP soon will have distributed a total of \$8.1 billion to state and local first responders along with approximately \$450 million from the Urban Area Security Initiative (UASI) to 33 urban areas. Mencer cited a recent DHS Inspector General's report that concluded that ODP funds have flowed sufficiently to the states, but that it is the existence of some impediments at the state level that are responsible for the slowing of funding distribution from the state to the local level. In her testimony Mencer acknowledged that the Administration is in support of a change in the distribution formula, but was careful to add that "that does not mean that they believe that there should be no minimum level of funding" to states.

Several committee members took the hearing as an opportunity to reiterate their support of a bill, HR 3266, that was recently approved by the Committee which would alter the existing distribution formula. The existing formula requires that every state get at least 3/4 of 1 percent of the money appropriated. Dubbed the Faster and Smarter Funding for First Responders Act and introduced by Cox and Turner, HR 3266 would instead require that the DHS

assess threats facing the nation and distribute funds to states and regions based on state, regional and local preparedness needs, population density, threat levels, and infrastructure assets.

Cox also used the hearing to argue that the Secretary of Homeland Security needs to use measurable federal preparedness goals when distributing funds and share that vulnerability information with state and local governments so that they "can do a better job of allocating these resources."

Although HR 3266 was unanimously approved by the Committee in early March it has yet to be scheduled for any floor action.

## Federal Register

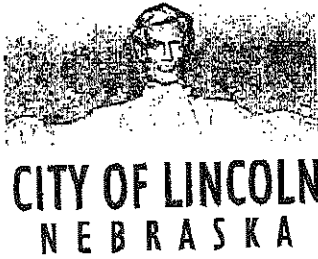
The following notices were printed in the *Federal Register* this week. Further information may be obtained from this office.

**Department of Health and Human Services, April 27:** The Administration for Children and Families has announced the availability of \$9 million in FY 2004 funding for the Infant Adoption Awareness Training Program. The purpose of this program is to provide funding to adoption organizations for developing and implementing new or adapting existing Infant Adoption Awareness Training Programs that train staff in providing adoption information and referrals to pregnant women. It is anticipated that up to 10 awards will be funded under this year's program with the average award ranging from \$1.5 million to \$6 million. Applications are due June 28, 2004 and may be obtained online at: [www.grants.gov](http://www.grants.gov). (Pages 22819-22824)

**Department of Health and Human Services, April 27:** The Administration for Children and Families (ACF), Administration on Children, Youth and Families (ACYF), Family and Youth Services Bureau has announced the availability of \$8.8 million in FY 2004 funding for the Street Outreach program. The purpose of this program is to provide

funding to community-based, faith based, and non-profit organizations to conduct outreach activities designed to build relationships between organization staff and street youth. It is anticipated that approximately 88 grants will be awarded under the FY 2004 grant cycle with an average award amount of \$100,000. Applications are due June 11, 2004 and may be obtained online at [www.grants.gov](http://www.grants.gov). (Pages 22829-22834)

**Department of Health and Human Services, April 28:** The Administration for Children and Families, Office of Refugee Resettlement has announced the availability of funding for the Services to Recently Arrived Refugees Grant Program. The program has three priority areas. The goal of Priority Area 1: Preferred Communities, is to promote the increase of newly arrived refugees in ideal communities where ample opportunities exist. Priority Area 2: Unanticipated Arrivals, works to provide services to arriving refugees or a sudden large influx of refugees where communities are not prepared in terms of language or cultural services. The goal of Priority Area 3: Ethnic Community Self-Help, is to connect recently arrived refugees and their communities with community resources. The program has \$2,990,000 in funding available for 45 grants ranging between \$50,000 and \$320,000. There are no cost sharing or matching requirements for this program. Eligible applicants include county or city governments, independent school districts, public and state controlled institutions of higher education, and nonprofit organizations, including faith-based organizations. Applications are due by February 28, 2005. For more information, please access the program website at [www.acf.hhs.gov/grants/open/HHS-2004-ACF-ORR-RE-0004.html](http://www.acf.hhs.gov/grants/open/HHS-2004-ACF-ORR-RE-0004.html). ([www.grants.gov](http://www.grants.gov))



# NEWS ADVISORY

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

## OFFICE OF THE MAYOR

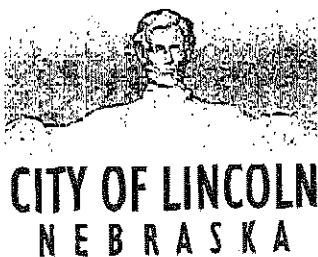
555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**DATE:** May 5, 2004

**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng will participate in a ground breaking ceremony for CenterPointe's new adult residential program at 9:30 a.m. **Thursday, May 6**, at **2601 "P" Street**. If it is raining, the ceremony will be moved to the CenterPointe offices at 1000 South 13th Street.

RECEIVED  
MAY 05 2004  
CITY COUNCIL  
OFFICE



# NEWS RELEASE

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** May 6, 2004**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831  
Topher Hansen, CenterPointe Executive Director, 475-5161RECEIVED  
MAY 06 2004  
CITY COUNCIL  
OFFICE

## CONSTRUCTION UNDER WAY ON NEW CENTERPOINTE RESIDENTIAL FACILITY

Mayor Coleen J. Seng and representatives of CenterPointe broke ground today on a new facility to help those with both substance dependence and mental health issues. The building at 2601 "P" Street will house an adult residential program and the administrative offices of CenterPointe, Inc. Construction is expected to be completed next spring.

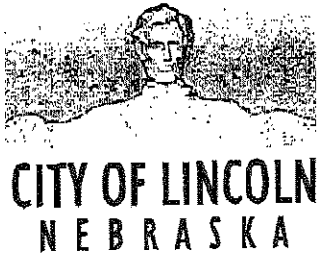
The facility will have 20 beds for transitional housing and residential treatment for adults age 19 and older. The \$2.5 million project is being funded by the non-profit organization with loans and tax increment financing.

"Providing services to those dealing with drug dependency and mental illness continues to be both a priority and a challenge," said Mayor Seng. "I'm pleased the City is able to play a role in filling an important need in this community. I'm also proud to be partnering with CenterPointe, which has three decades of experience in this area. The strength of service providers like CenterPointe enhances the wonderful quality of life in Lincoln."

"This project is important to meet the strategic goals of our organization," said Topher Hansen, CenterPointe Executive Director. "The new facility also helps to address the need for expanding community-based behavioral health services in our community."

CenterPointe, Inc. was established in 1973 as the Lincoln Lancaster Drug Project, which provided an adult residential drug and alcohol treatment program. Other programs have been added since then. About 34 percent of CenterPointe's revenues come from client fees. The rest comes mostly from federal, state and county funds. CenterPointe is also supported by the United Way.

The new facility will replace CenterPointe's operations at 610 "J" Street. Youth residential treatment will relocate to the former Attention Center for Youth on South 10th Street. When the new facility is opened, CenterPointe's current building at 1000 South 13th Street will house case management, outpatient services, the adult day rehabilitation program and the evening reporting center for youth. More information on CenterPointe is available at [www.centerpointe.org](http://www.centerpointe.org).



# NEWS RELEASE

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

## PUBLIC WORKS AND UTILITIES DEPARTMENT

Engineering Services, 531 Westgate Blvd., Lincoln, NE 68528, 441-7711, fax 441-6576

**FOR IMMEDIATE RELEASE:** May 6, 2004

**FOR MORE INFORMATION:** Larry Duensing, Engineering Services, 441-7711

RECEIVED  
MAY 06 2004  
CITY COUNCIL  
OFFICE

### PORTION OF NORTH 14TH TO CLOSE FOR CONSTRUCTION

North 14th Street from Superior to Fletcher Avenue will be closed to through traffic starting Monday, May 10 for water main construction. Local traffic will be permitted on North 14th from Hilltop Road to Fletcher. The detour route is Arbor Road, North 27th Street and Superior Street. The project is expected to be completed in mid-July.

- 30 -

### LANE OF "O" STREET TO CLOSE FOR IMPROVEMENTS

Eastbound traffic on "O" Street will be reduced to one lane between 25th and 29th streets starting Monday, May 10 for the construction of temporary pavement on the south curb. The work is part of the 27th and "O" Street Safety Project, which includes new concrete pavement and traffic signal improvements. The project is expected to be completed by the end of June.

- 30 -

REQUEST FOR INFORMATION  
COUNCIL OFFICE

Annette McRoy -#149

April 23, 2004

By: \_\_\_\_\_  
(Council Member)

Date \_\_\_\_\_

RE: Cats leash Law

REQUEST: \_\_\_\_\_

Would you please respond to the attached E-Mail and send me a copy of the response. Please respond to Diana Buchholz and Annette. Thanks.

- Annette McRoy

cc: Diana Buchholz  
1536 N. 22<sup>nd</sup> Street (03) - **FOR YOUR INFORMATION - COPY OF REQUEST SENT BY COUNCIL MEMBER, NO RESPONSE REQUIRED FROM YOU**

Mayor's Office

RESPONSE (Indicate action taken):

By: \_\_\_\_\_ Date \_\_\_\_\_

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MAY 04 2004  
CITY COUNCIL  
OFFICE

COMMENTS:

PLEASE RESPOND WITH 15 COPIES/tjg





"Annette McRoy"  
<amcroy@csiadmin.co  
m>

04/23/2004 02:05 PM

To: "Tammy Bogenreif" <TBogenreif@ci.lincoln.ne.us>  
cc:  
Subject: RFI: Cats leash Law

RFI # 149

Tammy,

Can you please send the following as an RFI to:

Law Department

Animal Control

"I am wondering why there is no leash law in the City of Lincoln for CATS. I am very tired of cats running at large with or without tags and digging up and crapping in my flower beds, window wells, bare spots in lawn. Every time I go out in my yard it stinks of cat crap and I can see where they have been using my yard as their bathroom. I chase them off but they keep coming back. I do not feel this is an issue that I should have to put up with or have to go spend money on some kind of cat-be-gone stuff that can be sprinkled around in flower beds but it only lasts a short time. For those who are a cat lovers, the cat should be keep on a leash in your yard not all over the neighborhood. I feel that to inflict your pet on someone else is just plain WRONG. Not to mention the health issues of cat feces all over the place. Is there anyway to get a law passes to STOP this NUISANCE and put a leash on them?"

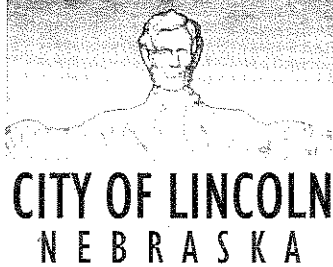
What is the history of past attempts to enact a cat leash law? Can the Board of Health take up this matter the next time they update Animal Control issues? Please provide a brief summary for the Diana.

Are there legal issues that need to resolved before we can move in this direction?

Please send responses both to Annette and Diana.

Name: DIANA BUCHHOLZ  
Address: 1536 N 22ND ST  
City: LINCOLN, NE 68503  
Phone: 477-4497  
Email: gbuchholz@peoplepc.com

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APR 23 2004  
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OFFICE



Animal Control Division  
Lincoln-Lancaster County  
Health Department  
Bruce D. Dart, MS, Health Director  
3140 "N" Street  
Lincoln, Nebraska 68510-1513



402-441-7900  
TDD: 402-441-7825  
fax: 402-441-8626  
health@ci.lincoln.ne.us  
jweverka@ci.lincoln.ne.us



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*The Community of Opportunity*

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Diana Buchholz  
1536 North 22<sup>nd</sup> Street  
Lincoln, Nebraska 68503

April 27, 2004

Dear Ms. Buchholz,

Thank you for your interest in the Animal Control program and cat at large enforcement.

As you may know, the current ordinance allows a cat to run loose if it is wearing a current license tag and is spayed or neutered. The history of attempts to adopt an ordinance very similar to the dog at large ordinance is long, but has become closer to becoming a reality.

In 1986, a cat at large ordinance was approved by the Animal Control Advisory Committee, but was tabled by the Lincoln Lancaster Board of Health per recommendation of the Health Director due to budgetary concerns. At the time there was an even split by citizens supportive and those opposed at the Board meeting. It was re-proposed again in 1988 and there was a public hearing held by the Board of Health. This time those giving supporting testimony outnumbered the opposition. The Board voted against the proposed ordinance due to concern of staffing and public expectations. In both these cases, the proposed ordinance was similar to the current dog ordinance.

In 1998 to 1999, there was discussion of again proposing a cat at large ordinance by the Cruelty Task Force and the Animal Control Advisory Committee. The decision was made not to include the ordinance as part of the recommended package of ordinances in fear the other proposed cruelty ordinance revisions would be lost in the debate over a cat at large ordinance. They did recommend the ordinance be changed to include the requirement which requires any cat running at large must be also spayed or neutered in addition to wearing a current license tag. This was approved in 2001 by the City Council.

The cat at large ordinance was proposed again in 2002 with a package of ordinances relating to the number of cats and special permit requirements. Due to vocal opposition to limit the number of cats, it was decided by the Board of Health not to forward this provision of the ordinance to the Council at that time, but to do so after the Council approved the other proposed ordinances. However, the regulations for catteries and multi-cat household permits requiring that cats be

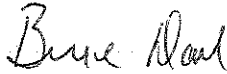
confined to the owners property was proposed and adopted by the City Council in 2002.

At this time the Law Department is reviewing proposed ordinances which include the previously drafted cat at large ordinance. The proposed ordinances must be approved by the Animal Control Advisory Committee and the Board of Health including having a public hearing prior to being recommended to the City Council. At this point, it is hoped the ordinances will be introduced to the Council at the end of August or first part of September. There is strong support by the Advisory Committee and the Board. All major humane organizations and the National Animal Control associations are supportive of a cat at large ordinance. I also believe pet owners have increased knowledge of owner responsibility and will be more willing to accept the ordinance.

The discussions always lead to calling the ordinance a leash law, which it is not. The ordinance only requires cats be confined to their owner's property. A second issue is enforcement. Cats cannot be chased or caught while running at large. Dogs run home, cats crawl under bushes or hide making field capture difficult. So the use of humane box traps and confinement by citizens will continue to be a major method of capturing cats off the owner's property. What will be different about it is it will be possible to issue a citation to the offending cat owner for letting his cat run at large even if it is wearing a license tag. I should mention the vast majority of impounded dogs and cats are confined or trapped by concerned and helpful citizens. Without the help of these volunteers, it would be difficult to maintain the quality of life in Lincoln for people and animals.

If you have any other questions, please feel free to contact Jim Weverka, Animal Control Manager at 441-7900 or myself.

Sincerely,

A handwritten signature in dark ink, appearing to read "Bruce Dart". The signature is fluid and cursive, with the first name "Bruce" and last name "Dart" clearly distinguishable.

Bruce Dart, M.S.

CC. Annette McRoy  
Tonya Skinner, Law Department



CAMPJON@aol.com

04/30/2004 07:29 PM

To: jray@ci.lincoln.ne.us (City Council)

cc:

Subject: Fwd: A Street Restriping 10th to 27th

Jon Camp, Chair  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

----- Message from "Marcia Matthies" <marciamatthies@hotmail.com> on Thu, 29 Apr 2004 19:27:53  
-0500 -----

To: jcamp@ci.lincoln.ne.us

Subject A Street Restriping 10th to  
: 27th

Please place this project on hold until further studies can prove it is necessary. Nine years ago maybe it was an idea but even after 9 years, traffic has decreased. The burden this change will place on the churches, day care and elderly citizens is simply not worth it. When the only study that could be found showed that the traffic has decreased, why would you move forward when there is so much opposition? Our first choice would be to stop it completely but we recognize you must make decisions for the good of the city. However, please make those decisions when you have all the facts

---

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**CAMPJON@aol.com**

04/30/2004 07:36 PM

To: JCallen@ci.lincoln.ne.us

cc: dpodany@ci.lincoln.ne.us (Darrell Podany), jray@ci.lincoln.ne.us (City Council)

Subject: Re: Sediment concerns

John:

Thanks for your response.

Jon Camp, Chair  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

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MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Urban Development Department  
Marc Wullschleger, Director  
Haymarket Square  
808 "P" Street  
Suite 400  
Lincoln, Nebraska 68508  
402-441-7606  
fax: 402-441-8711

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MAY 04 2004

CITY COUNCIL  
OFFICE

TO: Glenn Friendt, Lincoln City Council  
FROM: Marc Wullschleger, Director *MW*  
DATE: May 3, 2004  
RE: AFFORDABLE HOUSING NEEDS ANALYSIS

Thank you for following up on the progress of the Affordable Housing Needs Analysis (AHNA).

The draft of the analysis and action plan are expected to be completed and mailed to the steering committee by June 30, 2004.

Initially our department had planned to complete the AHNA and plan by August of 2003. However, this August completion date did not conform with the Federal HUD timeline for completing the Consolidated Plan. HUD requires the City to use special tabulation Census data. Although the data was expected to be out by June of 2003, the first installment of this data was not made available in September of 2003, and the rest of the data was made available in April of 2004.

If you have additional questions, I encourage you to call me at 441-7126. You may also contact Hallie Salem at 441-5543.

cc: Mayor Coleen Seng  
Wynn Hjermstad, Urban Development

Referred to: \_\_\_\_\_

REQUEST FOR INFORMATION  
COUNCIL OFFICE

By: Glenn Friendt -#30  
(Council Member)

April 28, 2004  
Date

REQUEST: RE: AHNA Steering Committee Report

Would you please respond to the attached Memo and send me a copy of the response.

Thanks.

Glenn Friendt

cc: Mayor's Office

Mayor Seng

RESPONSE (Indicate action taken): By: \_\_\_\_\_ Date \_\_\_\_\_

COMMENTS:

**PLEASE RESPOND WITH 15 COPIES/tig**



# CITY COUNCIL OF LINCOLN NEBRASKA

555 South 10th Street • Lincoln, NE 68508 • 402-441-7515

FAX: 402-441-6533 • E-MAIL: [council@ci.lincoln.ne.us](mailto:council@ci.lincoln.ne.us)

GLENN FRIENDT  
City Council Member At Large

**DATE:** April 27, 2004

**FROM:** Glenn Friendt,  
Lincoln City Council

**TO:** Marc Wullschleger, Director  
Urban Development

**RE:** RFI /AHNA Steering Committee Report

*RFI #30*

Has the AHNA ( Affordable Housing Needs Analysis ) Steering Committee Report been completed? Please provide a copy.

Thank you.

CC: Mayor Seng

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Allan Abbott, Public Works &  
Utilities Dir./Police Chief Casady  
Referred to:

APR 29 2004

REQUEST FOR INFORMATION  
COUNCIL OFFICE

LINCOLN POLICE  
DEPARTMENT

Glenn Friendt-#51 & Annette McRoy-#150

April 28, 2004

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MAY 04 2004  
CITY COUNCIL  
OFFICE

By: \_\_\_\_\_  
(Council Member)

Date

REQUEST: RE: Traffic safety on South 25<sup>th</sup> Street from N to J

Would you please respond to the attached Memo and send me a copy of the response. Please  
response to Mr. Jamie Pleines with copy to Glenn and Annette. Thanks.

- Glenn Friendt & Annette McRoy

cc: Mr. Jamie Pleines

535 S. 25<sup>th</sup> Street (10) - **FOR YOUR INFORMATION - COPY OF REQUEST SENT BY  
COUNCIL MEMBER, NO RESPONSE REQUIRED FROM YOU**

Mayor's Office

RESPONSE (Indicate action taken):

By: \_\_\_\_\_

Date

*Copy of letter to Jamie Pleines attached*

COMMENTS:

**PLEASE RESPOND WITH 15 COPIES/tjg**



# CITY COUNCIL OF LINCOLN NEBRASKA

555 South 10th Street • Lincoln, NE 68508 • 402-441-7515

FAX: 402-441-6533 • E-MAIL: [council@ci.lincoln.ne.us](mailto:council@ci.lincoln.ne.us)

**DATE:** April 27, 2004

**FROM:** Glenn Friendt and Annette McRoy  
Lincoln City Council

**TO:** Allan Abbott, Director of Public Works and Utilities  
Tom Casady, Police Chief

**RE:** RFI / Traffic safety on South 25<sup>th</sup> Street from N to J

GF=RFI#31  
am=RFI#150

Please respond to a constituent request to improve traffic safety for children on South 25<sup>th</sup> Street between N and J.

On or about April 20, 2004 a traffic accident occurred on South 25th Street causing serious injuries to a young child. Because of the volume and speed of traffic along this street and the significant number of children in the neighborhood attending Elliott school please investigate implementation of the following:

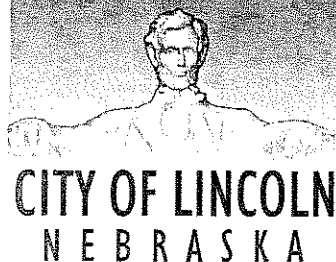
1. Speed limit enforcement on South 25<sup>th</sup> Street between N and J by LPD.
2. Increased signs along South 25 th Street between N and J indicating the presence of children, school proximity, speed limits, and/or any other appropriate cautionary or warning signs.
3. Training neighbors in the use of an electronic speed indicator sign.
4. Any other considerations by your respective Depts. that might improve traffic safety for children in this neighborhood..

Please direct your response to: Mr. Jamie Pleines  
535 S. 25<sup>th</sup> Street  
Lincoln, NE 68510  
730-6122  
[Goliath@alltel.net](mailto:Goliath@alltel.net)

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APR 28 2004  
CITY COUNCIL  
OFFICE

In your response please indicate that you are responding to this joint request from our City Council offices.

Thank you.



Lincoln Police Department  
Thomas K. Casady, Chief of Police  
575 South 10th Street  
Lincoln, Nebraska 68508

402-441-7204  
fax: 402-441-8492



MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

May 3, 2004

Jamie Pleines  
535 South 25  
Lincoln, NE 68510

Dear Mr. Pleines:

Your request to City Council Members Glenn Friendt and Annette McRoy was forwarded to me for response. I am always concerned when a car hits a child or any pedestrian; it is tragic and deserves a closer inspection.

A Police Officer has been running radar on South 25<sup>th</sup> Street since the April 20<sup>th</sup> accident. He will continue to do this at different times for the next couple of weeks. Our experience has been that the officer's presence has a slowing effect on traffic and hopefully this awareness will make drivers and pedestrians more cautious. In addition, officers frequently work with neighborhoods on traffic safety issues and there are a number of services available at the Police Department that neighborhoods can deploy as we work together. Speeding problems in your area can be reported to Center Team Captain Joy Citta at 441-7751, Sergeant Dan Schmidt in the Traffic Enforcement Unit at 441-6576, or you may call our Police Service Desk at 441-7204.

The Public Works Department will be responding to the questions and concerns you have regarding signage.

Please let us know if we can be of further assistance.

Sincerely,

THOMAS K. CASADY  
Chief of Police

xc: City Council Members



A nationally accredited law enforcement agency



Referred to: Health Department

REQUEST FOR INFORMATION  
COUNCIL OFFICE

By: Jonathan Cook - #112  
(Council Member)

April 30, 2004

Date

RE: Smoking Law

REQUEST:

Would you please respond to the attached Memo and send me a copy of the response. Please  
respond to Bob Ihrig with copy to me. Thanks.

- Jonathan Cook

cc: Bob Ihrig

Bob's Gridiron Grille

4200 S. 27<sup>th</sup> Street (16) - **FOR YOUR INFORMATION - COPY OF REQUEST SENT BY  
COUNCIL MEMBER, NO RESPONSE REQUIRED FROM YOU**

Mayor's Office

RESPONSE (Indicate action taken):

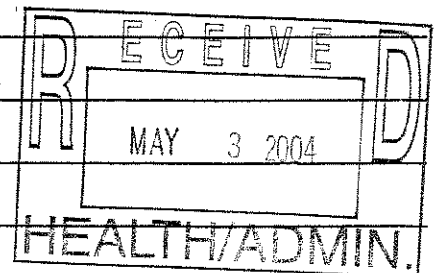
By:

Date

5/3/04

See response from Bruce Dart,  
Health Director.

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OFFICE



COMMENTS:

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I am writing to request some information from the City Council. I am the owner of a restaurant and pub in Lincoln - Bob's Gridiron Grille & the Pigskin Pub.

I am aware that the City Council passed a Smoking Ban and I have heard that it goes into effect on July 1, 2004.

However, I have not received any information about this ban - what the law is, the stipulations or the exceptions to this smoking ban. I have heard lots of rumors and gossip about the ban, but I have no official information about the ban. These are my questions:

1. Am I going to receive something through the mail that outlines this new ban?  
**The week of May 3<sup>rd</sup>, the LLCHD is sending out a mailing to approximately 9000 businesses in Lincoln to determine who will be smokefree, will build a smoking room for customers or employees or if your in the hospitality industry, whether your business meets the ordinances definition of a bar (food sales constitute less than 60% of gross receipts), which is exempt from the ordinance. This mailing will help you determine at what level your individual business should comply with the new ordinance.**

2. Is this ban going to be enforced? I've heard people say that it was a law that was passed, but like the State Smoking ban, it will not be enforced.  
**This law will be enforced primarily by the LLCHD on a complaint basis and by the police department if they are called to the business for any reason and they have a reason to do so. The LLCHD will be responding to complaints, conducting inspections, reviewing plans, etc. We would not have recommended passing this ordinance without a mechanism in place to enforce it.**

3. If the law is enforced, is it going to be enforced fairly? Are establishments that allow smoking - are they going to be fined if someone 18 years or younger is in the establishment?  
**YES, the ordinance will be enforced fairly. The LLCHD does not selectively enforce the health code. As it stands now and unless that provision in the ordinance regarding patrons under 18 years of age in an establishment changes, businesses that allow smoking cannot have people in their establishments under 18, unless they build smoking rooms and allow patrons to smoke in that room only.**

4. I've heard that smoking rooms will be permitted. Where can I get information? on the smoking rooms and who is qualified to determine if a smoking room meets the criteria and codes?  
**Yes smoking rooms will be permitted and you can get information regarding them at the LLCHD. You can call Charlotte Burke at 441-8011 for that information. The Department has qualified staff that can help you meet the criteria and regulations if you should choose to install a smoking room.**

I would greatly appreciate some information about this smoking ban. I also would like some help in determining if a smoking room would be feasible for our business and I would like to talk with some people who are qualified to give me accurate answers.

**I will have Charlotte Burke call you at your convenience to discuss the ban with you. She can give you all the information you need regarding the ordinance and the feasibility of a smoking room for your business.**

Bruce Dart, MS Director  
Lincoln-Lancaster County Health Department



# CITY COUNCIL OF LINCOLN NEBRASKA

555 South 10th Street • Lincoln, NE 68508 • 402-441-7515

FAX: 402-441-6533 • E-MAIL: council@ci.lincoln.ne.us

JONATHAN COOK  
City Council Member  
Southwest District

*RFI #112*

## REQUEST FOR INFORMATION

April 30, 2004

**To:** Health Department

**Re:** Smoking Law

**Please reply to:**

Bob Ihrig  
Bob's Gridiron Grille  
4200 S. 27th Street  
Lincoln, Nebraska 68516  
402-423-0199  
rmihrig@aol.com

---

I think Bob has asked some excellent questions in his e-mail to me. Could you please answer his questions and copy me on the reply?

Thank you.

Jonathan Cook

RECEIVED

APR 30 2004

CITY COUNCIL  
OFFICE

In a message dated 4/29/04 6:12:59 PM, RMlhrig@aol.com writes:

Good Morning Jonathan,

I am writing to request some information from the City Council. I am the owner of a restaurant and pub in Lincoln - Bob's Gridiron Grille & the Pigskin Pub.

I am aware that the City Council passed a Smoking Ban and I have heard that it goes into effect on July 1, 2004.

However, I have not received any information about this ban - what the law is, the stipulations or the exceptions to this smoking ban. I have heard lots of rumors and gossip about the ban, but I have no official information about the ban. These are my questions:

1. Am I going to receive something through the mail that outlines this new ban?
2. Is this ban going to be enforced? I've heard people say that it was a law that was passed, but like the State Smoking ban, it will not be enforced.
3. If the law is enforced, is it going to be enforced fairly. Are establishments that allow smoking - are they going to be fined if someone 18 years or younger is in the establishment?
4. I've heard that smoking rooms will be permitted. Where can I get information on the smoking rooms and who is qualified to determine if a smoking room meets the criteria and codes?

I would greatly appreciate some information about this smoking ban. I also would like some help in determining if a smoking room would be feasible for our business and I would like to talk with some people who are qualified to give me accurate answers.

Thank you for your time and attention to my questions.

Bob lhrig  
Bob's Gridiron Grille  
4200 S. 27th Street  
Lincoln, Nebraska 68516

402-423-0199  
rmihrig@aol.com

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Rec'd from  
S. Raper  
all C/C have  
copy

INTER-DEPARTMENT COMMUNICATION

RECEIVED  
MAY 03 2004  
CITY COUNCIL  
OFFICE

TO City Council Members  
DATE May 3, 2004  
DEPARTMENT FROM Tonya Skinner  
ATTENTION DEPARTMENT City Law  
COPIES TO Health Department SUBJECT Bill No. 04-92

This memorandum is an attempt to summarize the proposed amendments to the Lincoln Smokefree Air Act, Bill No. 04-92.

After the passage of the Act, the Lincoln-Lancaster County Health Department began working on a procedure to implement the new legislation. Two items became apparent. First, LLCHD needed a way to be able to track where smoking was going to be allowed. And secondly, the cost of enforcement. Whereby the following amendments were suggested, in addition to other clerical amendments:

**Amendment to 8.48.020: Purpose Statement.** An amendment to clarify that not all places of employment or public places will be smokefree. This amendment was necessary to reflect that smoking will occur in some areas of places of employment and public places.

**Adding new Section 8.48.135: Definition of Smoking Breakroom.** This section was added to stay consistent within the definition. The language reflects language contained in Section 8.48.170.

**Adding new Section 8.48.162: Allow smoking only by permit.** This section was added to require a proprietor to obtain a permit from LLCHD before the proprietor may allow smoking. It also clarifies that a person could be cited for unlawfully smoking where smoking is not allowed by law. The language should be more straight forward for prosecution purposes.

**Amending 8.48.170: Permit: Smoking Allowed.** The amendments to this section are as follows:

Subsection (a). Adjust language to reflect the need for proprietor to obtain a permit, and what is required of the proprietor in order to allow smoking.

Subsection (a)(7). LLCHD determined after speaking with the Clerks office and the Mayor's office that if permits were to be required, that it was unnecessary to send a proprietor to the Clerks office to file an affidavit and then to LLCHD to apply for a permit. To make compliance easier for a proprietor, LLCHD determined that the same information could be obtained through the permit process. In turn, the permit process requires the proprietor to designate the type of place of employment or public place (i.e. bar, smoke shop); or if it will have a smoking room or break room(s).

**Amending 8.48.180: Signs.**

Subsection (b). To clarify that the signs are required to be permanent rather than temporary.

Subsection (c). To require temporary signs are required when there is to be smoking by an actor/actress.

Subsection (d). To require that a bar or smoke shop that allows smoking in the entirety would need to post permanent signs detailing that minors are not allowed.



Subsection (f). To require that places of employment or public places that have areas where smoking is allowed to post permanent signs detailing that minors are not allowed in these areas. This would also apply to a bar or smoke shop if the proprietor built a smoking room rather than allowed smoking in designated/undesignated areas of the premises.

Subsection (g). To require signs to be approved by LLCHD. This was added after numerous questions regarding what is required by the Act and the Nebraska Clean Indoor Air Act.

**Adding Section 8.48.182. Permit.** The permit process reflects language in many other ordinances including the Body Art ordinances. Some areas of some importance:

Subsection (a)(3). This would require the proprietor to describe the place of employment. Example. A proprietor that owns a "restaurant" would like to apply for a permit. It is unsure if it could qualify under the bar definition or if it would need to build a smoking room. The restaurant owner would provide information as to its gross receipts of food verses other products like liquor, cigarette, t-shirt sales. This section would take the place of the previous requirement to require bar proprietors to file an affidavit.

Subsection (a)(6). The size of the smoking area to be established by the preference of the users would be stated in the permit. This requirement gives notice to LLCHD on the size of this area and how it was established. The thought was to have the size designated before the proprietor started construction on a smoking room, etc.

Subsection (c). Permit fees.

**Adding Section 8.48.184. Inspection.** This is standard language found throughout many chapters of the LMC.

**Adding Section 8.48.186. Suspension/Revocation.** This is standard language found throughout many chapters of the LMC.

**Adding Section 8.48.188. Enforcement Hearing.** This is standard language found throughout many chapters of the LMC.

**Amending 8.48.190. Enforcement.** To clarify that accounting records can be inspected where the information is necessary to the enforcement of a provision of the ordinance.

RECEIVED  
MAY 06 2004  
CITY COUNCIL  
OFFICE

RESOLUTION NO. A-\_\_\_\_\_

**BE IT HEREBY RESOLVED BY THE CITY COUNCIL** of the City of  
Lincoln, Nebraska:

That the attached list of investments be confirmed and approved, and the City  
Treasurer is hereby directed to hold said investments until maturity unless  
otherwise directed by the City Council.

**INTRODUCED BY:**

\_\_\_\_\_

**Approved:**

\_\_\_\_\_  
**Don Herz, Finance Director**

Approved this \_\_\_\_ day of \_\_\_\_\_, 2004

\_\_\_\_\_  
Mayor

RECEIVED  
MAY 06 2004  
CITY COUNCIL  
OFFICE

**FINANCE DEPARTMENT  
TREASURER OF LINCOLN, NEBRASKA  
INVESTMENTS PURCHASED  
APRIL 26 THRU APRIL 30, 2004**

April 27, 2004, we cashed a total of \$2,742,000 out of the Short Term Pool and then reinvested \$2,520,000 as follows:

\$20,000	Nebraska Public Agency Investment Trust at Union Bank in the Short Term Pool
\$2,500,000	FHLB, discounted 99.6875%, costing \$2,492,187.50, yielding 2.68007%, maturing October 27, 2006 in the Medium Term Pool

April 28, 2004, we cashed a \$336,000 First American Government Obligation Fund at US Bank out of the Short Term Pool. We then reinvested \$130,000 as follows:

\$30,000	Nebraska Public Agency Investment Trust at Union Bank
\$100,000	Dreyfus Government Fund at Wells Fargo Bank

A \$2,500,000 FHLB yielding 2.46%, was called April 28, 2004 and we invested the proceeds in a \$2,520,000 FHLB, discounted 99.1875%, costing \$2,499,525 plus accrued interest of \$1,036.00, yielding 2.272329%, maturing April 20, 2006, for the 2005-2006 Debt Service Fund.

Two investments, totaling \$5,000,000 matured April 29, 2004, and we immediately cashed along with a \$20,000 Nebraska Public Agency Investment Trust at Union Bank out of the Short Term Pool. We then reinvested \$3,110,000 as follows:

\$300,000	Dreyfus Government Fund at Wells Fargo Bank
\$1,080,000	First American Government Obligation Fund at US Bank
\$2,000,000	CD, purchased at par, rate of 1.01%, maturing May 24, 2004

Investments totaling \$4,414,000 were cashed April 30, 2004, and we then reinvested in a \$2,000,000 FFCB, discounted 99.375%, costing \$1,987,500 plus accrued interest of \$169.44, yielding 3.240453%, maturing October 29, 2007.

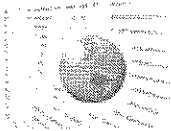
We respectfully request approval of our actions.

---

Don Herz, Finance Director

---

Joel L. Wittrock, Asst. City Treasurer



**Joan V Ray**

04/30/2004 11:01 AM

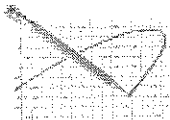
To: James W Walkenhorst/Notes@Notes  
cc: Denise S Oxford/Notes@Notes, James Weverka/Notes@Notes, Mark Wieting/Notes@Notes  
Subject: Re: dog tag licenses

Everyone - Thanks so much for all your efforts on this request!!

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

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APR 30 2004  
CITY COUNCIL  
OFFICE

James W Walkenhorst



**James W Walkenhorst**

04/30/2004 10:56 AM

To: Mark Wieting/Notes@Notes  
cc: James Weverka/Notes@Notes, Denise S Oxford/Notes@Notes, Joan V Ray/Notes@Notes  
Subject: Re: dog tag licenses

To All,

I have received the request for a file of licensed dogs for Mr. Lambert. We will work on scheduling this request next week and expect to produce a file for Mr. Lambert by the end of the following week. We will work with Denise to ensure the file and billing are accounted for.

Thanks, Jim

Jim Walkenhorst  
Systems Project Supervisor  
City of Lincoln  
233 South 10th Street  
Lincoln, NE 68508

402-441-7138 (O)  
402-441-6189 (F)

Mark Wieting



**Mark Wieting**

04/29/2004 05:03 PM

To: James W Walkenhorst/Notes@Notes  
cc:  
Subject: Re: dog tag licenses

Jim,

I am passing this one on to you.

Mark

----- Forwarded by Mark Wieting/Notes on 04/29/04 05:03 PM -----



**Denise S Oxford**

To: Mark Wieting/Notes@Notes

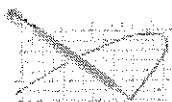


04/29/04 09:15 AM

cc:  
Subject: Re: dog tag licenses

Can you do this or does Chad have too?

----- Forwarded by Denise S Oxford/Notes on 04/29/2004 09:15 AM -----



**James Weverka**  
04/29/2004 09:13 AM

To: Denise S Oxford/Notes@Notes  
cc:  
Subject: Re: dog tag licenses

Denise,  
Why not check with Mark on getting a better CD to correct readability problems. Then let the individual know what is going on. The hard copy should be corrected also. Jim

Jim Weverka  
Animal Control Chief  
3140 N Street  
Lincoln, Nebraska 68510  
Phone 402-441-7900 Fax 402-441-8626

Animal Control - Protecting People and Animals  
Denise S Oxford

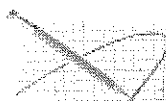


**Denise S Oxford**  
04/29/2004 09:09 AM

To: James Weverka/Notes@Notes  
cc:  
Subject: Re: dog tag licenses

Jim, this has to be requested and it costs \$125 for CD which is done on Excel. You can't read it very well though. If he wants a hardcopy, its \$250. It can be divided by dogs and cats, but it will print every dog, including dead ones and inactive ones. I'm not sure he'd really want that.

James Weverka



**James Weverka**  
04/29/2004 09:04 AM

To: Denise Oxford  
cc:  
Subject: dog tag licenses

Denise,  
Please respond. Thanks. Jim

Jim Weverka  
Animal Control Chief  
3140 N Street  
Lincoln, Nebraska 68510  
Phone 402-441-7900 Fax 402-441-8626

Animal Control - Protecting People and Animals

----- Forwarded by James Weverka/Notes on 04/29/2004 09:03 AM -----



**Joan V Ray**  
04/29/2004 08:41 AM

To: James Weverka/Notes@Notes  
cc:  
Subject: dog tag licenses

Jim - I'm forwarding this inquiry on to you.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us

----- Forwarded by Joan V Ray/Notes on 04/29/2004 08:40 AM -----



"Doug Lambert"  
<dlambert@lambriarvet.com>

To: <council@ci.lincoln.ne.us>  
cc:  
Subject: dog tag licenses

04/28/2004 05:31 PM

To whom it may concern:

I am requesting a list of the dog tag license holders in your town. We are introducing a new pet food to your local area and need to announce support of our local distributors and grocers that will be carrying the food.

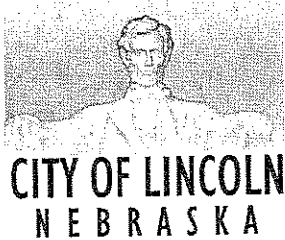
We would also like to speak with the person in charge of your local shelter/pound in reference to Sportmix foods and our veterinary supply catalog.

If possible, email an excel list to me at DLambert@Lambriarvet.com

Thanks

Douglas W Lambert  
Lambriar Animal Health Care LLC  
101 Highway Avenue  
Mahaska, Kansas 66955  
800.344.6337

<http://www.Lambriarvet.com>  
<mailto:DLambert@Lambriarvet.com>



# NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-8323 or 441-6229

**FOR IMMEDIATE RELEASE:** April 29, 2004  
**FOR MORE INFORMATION:** Nancy Malone, Every Woman Matters Program  
Coordinator, 441-6294

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APR 30 2004  
CITY COUNCIL  
OFFICE

## EVENTS SCHEDULED FOR WOMEN'S HEALTH MONTH

May is a time for remembering and honoring the special women in our lives through the celebration of Women's Health Month. In observance, the Every Woman Matters of the Lincoln-Lancaster County Health Department and several faith-based organizations will highlight the importance of annual health exams, healthful diets, moderate exercise, and discontinued use of tobacco products as the best means of preventing and eliminating the health risks associated with breast and cervical cancer, heart disease, diabetes, and other illnesses. The Every Woman Matters program encourages women to remind other women in their lives to receive regular health screenings and to honor those whose lives have been affected by breast and cervical cancer.

The Every Woman Matters program at the Lincoln-Lancaster County Health Department, funded through Nebraska Health and Human Services, provides income-eligible women 40-64 an opportunity to receive regular breast and cervical health screenings, mammograms, and Pap tests when they may not be able to afford the costs. Women may receive additional screenings on an annual basis to include blood pressure and cholesterol checks, and a blood sugar (glucose) check. For more information, contact Every Woman Matters at 441-6264.

Breast cancer is Nebraska's second leading cause of cancer-related deaths in women. Although breast cancer can happen to anyone, major risk factors include being a woman and getting older. Studies have shown that when detected early, a woman has a 96 percent chance of surviving the disease. To help ensure a healthy lifestyle, the Every Woman Matters program recommends that women over 40 years perform a monthly breast self-exam, have a yearly clinical breast exam by a health care provider, have a mammogram every one to two years, and be routinely screened for heart disease and diabetes.

Throughout May, information about the Every Woman Matters program as well as diabetic assessments will be available through the Mobile Health Clinic services of the Lincoln-Lancaster County Health Department. Health screenings for adults of any age are scheduled at the following Lincoln locations: National Pharmacy (33<sup>rd</sup> & A St.), May 4<sup>th</sup>, 3-5pm; Klein's Market (11<sup>th</sup> & G St.), May 11<sup>th</sup>, 3-5pm; Lincoln Plating (600 West E St.), May 15<sup>th</sup>, 9:30-11:30am; and Wal-Mart (27<sup>th</sup> & Superior), May 19<sup>th</sup>, 9:30-11:30am. Health screening services will include blood pressure, cholesterol, colon-rectal screening, body mass index, and resting heart rate. Education will be provided regarding diabetes, osteoporosis, breast and cervical exams, cardiovascular risk assessment and other women's health issues. Remember your health for those you love!





MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Lincoln-Lancaster County  
Health Department  
Bruce D. Dart, MS, Health Director  
3140 "N" Street  
Lincoln, Nebraska 68510-1514  
402-441-8000  
TDD: 402-441-6284  
fax: 402-441-8323  
[health@ci.lincoln.ne.us](mailto:health@ci.lincoln.ne.us)



LANCASTER  
NEBRASKA

TO: Polly McMullen, Downtown Lincoln Association  
Ed Zimmer, City Planning Department  
Diane Gonzolas, Citizen Information Center  
Gene Langdale, Downtown Lincoln Association  
Mary Jane Steward, Downtown Neighborhood Association

RECEIVED

MAY 05 2004

CITY COUNCIL  
OFFICE

FROM: Harry A. Heafer, Coordinator *Harry Heafer*  
Keep Lincoln & Lancaster County Beautiful Program  
Lincoln-Lancaster County Health Department  
441-8035, [hheafer@ci.lincoln.ne.us](mailto:hheafer@ci.lincoln.ne.us)

DATE: May 4, 2004

SUBJECT: Keep America Beautiful's Cigarette Litter Prevention Research Program

The Keep Lincoln & Lancaster County Beautiful (KLLCB) program has just been selected by Keep America Beautiful (KAB) to be one of only nine communities across the nation to participate in the third phase of an extended research program to reduce cigarette litter. This research program's goal is to noticeably reduce cigarette litter in communities nationwide.

The Research Program starts on June 14 and concludes on August 31, 2004. A Research Program Team is needed to assist in making this project a success and I hope you will consider participating. Downtown Lincoln perfectly fits the criteria for a test "neighborhood" that includes auto and pedestrian traffic as well as a mix of retail, business, education and residential use.

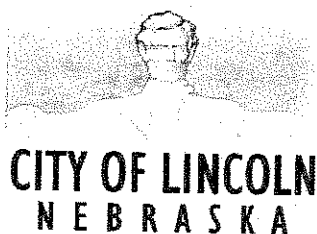
This rapidly approaching starting date will require some quick decisions to be made by the Research Program Team. A two to three block area needs to be identified where 12 - 15 ash receptacles will be installed at transition points prior to June 14. The type of ash receptacle needs to be chosen and arrangements need to be made with the media to regularly run the PSA ad during the 10 week research period.

KAB has identified 10 ash receptacle designs to choose from and will provide "seed" money for placing the PSA in the newspaper. KLLCB has grant money to assist in purchasing ash receptacles. On the attached pages are copies of the 10 ash receptacle designs, the pocket ash trays that KAB will provide for distribution and the PSA ad to be run as part of the research program.

I will be contacting you later this week to arrange a meeting where I would be glad to answer questions and begin to get this project going. Thank you.

Cc: Mayor Coleen Seng  
City Council Members





# NEWS RELEASE

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Lincoln City Libraries - 136 S. 14<sup>th</sup> Street - Lincoln, NE 68508  
Phone: 402-441-8500; Fax: 402-441-8586; Email: [library@mail.lcl.lib.ne.us](mailto:library@mail.lcl.lib.ne.us)

**FOR IMMEDIATE RELEASE: April 29, 2004**  
**CONTACT: Vicki Wood, Youth Services Librarian**  
**PHONE: 402-441-8566**  
**E-MAIL: [v.wood@mail.lcl.lib.ne.us](mailto:v.wood@mail.lcl.lib.ne.us)**

## **READING PROGRAMS OFFERED THIS SUMMER**

**@ your library**

Lincoln City Libraries is offering parent-child book groups this summer. **Read Aloud Please** is a group program that encourages first, second and third graders to enjoy reading aloud with a partner. The child chooses a reading partner, someone like a parent, older sibling or a grandparent. Group of children and their partners will meet five times, once a week starting in June at the branch library of their choice. The branch library youth specialist will read aloud from the book and lead the group in book-related activities and discussion. Copies of the books will be made available so that children and their reading partners may check out a copy to read aloud together.

**Reading Together** is a group program that gives fourth, fifth and sixth graders an opportunity to join a book discussion group made up of both children and adults. Each child will choose a reading partner, such as a parent, grandparent or older sibling. Children and their partners will read the designated book before each group meeting, where a trained facilitator will lead the discussion. Groups will meet once a week for five weeks.

The Lincoln City Libraries are offering youth ages 12 to 16 the opportunity to read and discuss books this summer in our **TeensRead!** program. Each group will choose four books related by theme to read and discuss. Themes this summer are: Outsiders, Fantasy, Friendships and Sports. Each group will meet once a week for five weeks and the discussions will be lead by youth librarians or trained facilitators.

Schedules are available at all Lincoln City Libraries or at our website at [www.lcl.lib.ne.us](http://www.lcl.lib.ne.us). These programs are free and require pre-registration. For more information call Library Youth Services at 441-8566.

###

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APR 30 2004  
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# NEWS RELEASE

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Lincoln City Libraries - 136 S. 14<sup>th</sup> Street - Lincoln, NE 68508  
Phone: 402-441-8500; Fax: 402-441-8586; Email: [library@mail.lcl.lib.ne.us](mailto:library@mail.lcl.lib.ne.us)

**FOR IMMEDIATE RELEASE: April 29, 2004**  
**CONTACT: Vicki Wood, Youth Services Librarian**  
**PHONE: 402-441-8565**  
**E-MAIL: [v.wood@mail.lcl.lib.ne.us](mailto:v.wood@mail.lcl.lib.ne.us)**

## **GOLDEN SOWER BOOK DISCUSSION GROUP** Teachers & Media Specialists Invited to Take Part

Again this summer, Lincoln City Libraries will offer upper elementary and middle school teachers and media specialists the opportunity to take part in a Golden Sower Book Discussion Group this summer. The group will read four of the ten nominees in the fourth through sixth grade and the young adult categories for 2004-2005.

Fourth through sixth grade titles are: **Fair Weather** by Peck, **Pictures of Hollis Woods** by Giff, **Storm Warriors** by Carbone, and **Surviving the Applewhites** by Tolan.

Young adult titles are: **Hoot** by Hiassen, **Stand Tall** by Bauer, **Things Not Seen** by Clements, and **Under the Same Sky** by DeFelice.

This group will meet on the fourth floor of Bennett Martin Public Library on Wednesday, June 9, June 16, June 23 and June 30 at 10:30 a.m. The meetings will last until noon. At each meeting we will discuss one nominee from each category. In addition to discussing the books, participants will have a chance to share ideas for using the books in the classroom.

Please call the Youth Services Department at 441-8566 for more information or to sign up.

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CITY COUNCIL  
OFFICE



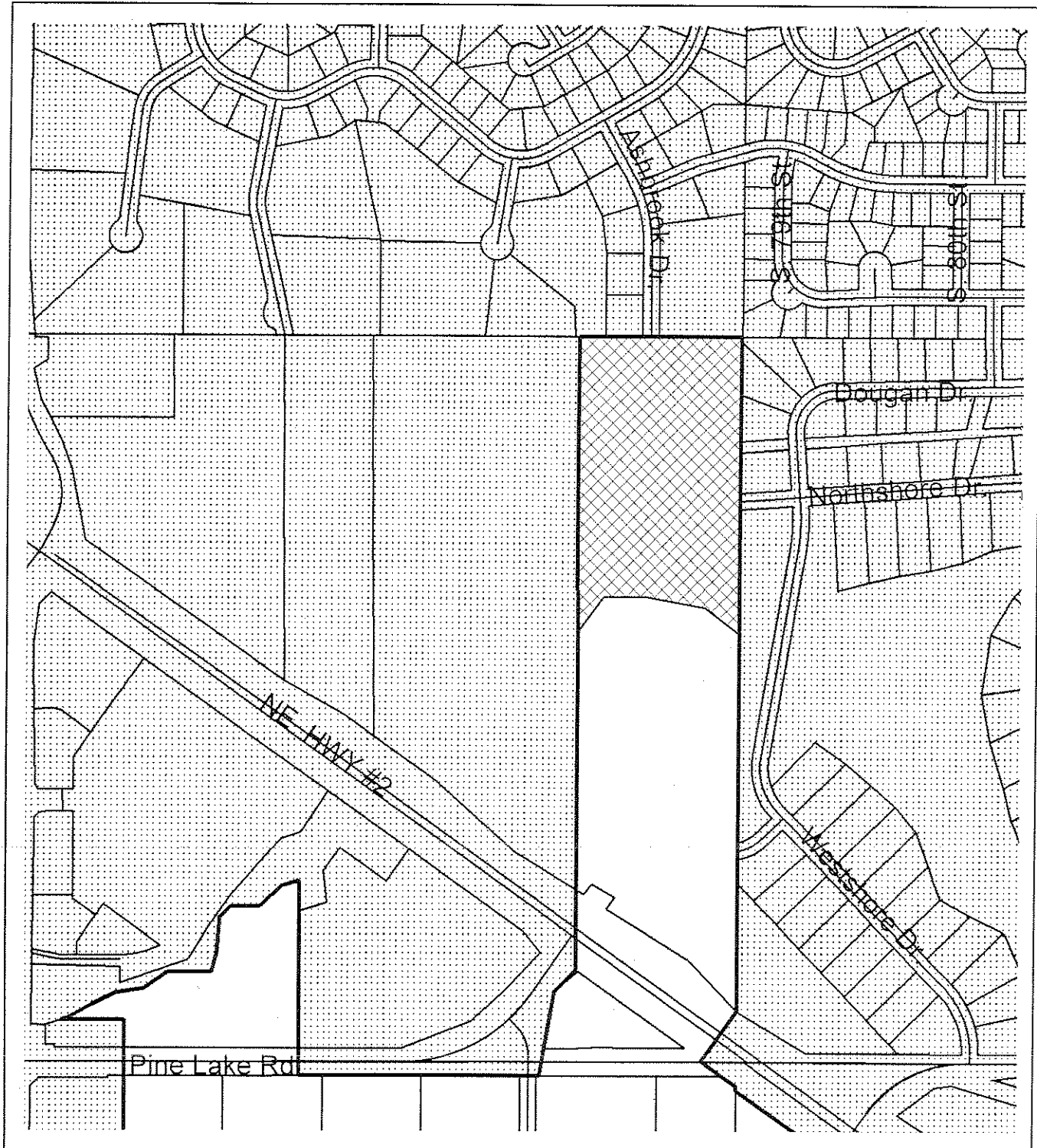
Jerry Shorney  
<jshorney@ci.lincoln.ne.us>  
e.us>

04/29/2004 05:13 PM



To: KDixon@aol.com  
cc: council@ci.lincoln.ne.us, "ljohnson@ci.lincoln.ne.us"  
<ljohnson@ci.lincoln.ne.us>, bom7957@alltel.net  
Subject: CHNA trash container

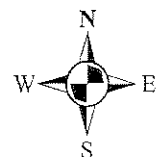
Kathy Dixon                      Hi Kathy, I was forwarded your request about an additional trash container for Colonial Hills Park. I believe last summer Parks staff added a trash barrel at the request of the neighbors near the south end of the park. We currently have 4 trash barrels in Colonial Hills Park, the barrel located near the parking lot is emptied by our contract trash hauler. The other 3 barrels, 2 located near the shelter, basketball court, playground area and 1 on the south end require park staff to hand empty because of the difficultiy and expense of the contract hauler getting to these areas. I believe the park is well served with trash containers at the present time. If you have other questions or comments about Colonial Hills Park please free to contact me viva e mail or my phone number is 441-8259. Jerry Shorney

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APR 30 2004  
CITY COUNCIL  
OFFICE



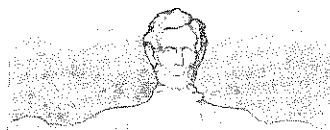
Annexation by Ordinance  
 Ordinance No. 18333  
 Effective Date: April 20, 2004  
 13.28 Acres

-  Current City Limits
-  Annexation Area



1" = 500'

RECEIVED  
 MAY 03 2004  
 CITY COUNCIL  
 OFFICE



# CITY OF LINCOLN NEBRASKA

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Lincoln-Lancaster County  
Planning Department  
Marvin S. Krout, Director

Mary F. Bills-Strand, Chair  
City-County Planning Commission

555 South 10th Street  
Suite 213  
Lincoln, Nebraska 68508  
402-441-7491  
fax: 402-441-6377

May 4, 2004

Michael Johnson  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68508

RECEIVED  
MAY 05 2004  
CITY COUNCIL  
OFFICE

RE: Eagle Crest 3<sup>rd</sup> Addition Final Plat #03055

Dear Mr. Johnson,

Eagle Crest 3<sup>rd</sup> Addition was approved by the Planning Director on May 4, 2004. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at \$.50 per **existing** lot and per **new** lot and \$20.00 per plat sheet for the plat, and \$.50 per **new** lot and \$5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

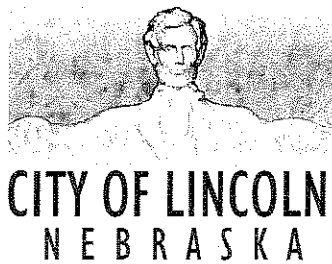
Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (date + 14 days), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Becky Horner  
Planner

CC: Joan Ray, City Council (14)  
Dennis Bartels, Public Works & Utilities  
Terry Kathe, Building & Safety  
Sharon Theobald, Lincoln Electric  
Jean Walker, Planning  
File

F:\FILES\PLANNING\PC\FP\Approval.wpd



MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

Engineering Services  
Public Works and Utilities Department  
Allan Abbott, Director  
531 Westgate Blvd.  
Suite 100  
Lincoln, Nebraska 68528  
402-441-7711  
fax: 402-441-6576

April 27, 2004

Jan Cepure  
6221 Hartley Street  
Lincoln, NE 68507

Dear Jan:

You inquired concerning the poor drainage and street conditions in 63rd Street south from Fremont approximately 2-1/2 blocks. This street is substandard 19' wide pavement with no curb and gutter paving. The paving will include drainage improvements and storm sewer if necessary. Public Works has determined that rehabilitation of the existing pavement is not prudent because of the age and deterioration of the existing pavement.

The repaving of the street will require the creation of a repaving district by the City Council and petitioning by abutting owners from a majority of the front footage to order it constructed. The cost of the approximately 8' of additional paving width will be assessed to the abutting property owners. The City will subsidize the cost of the paving by paying the equivalent cost of replacing the existing 19' of paving.

If the City Council creates the district but a majority of abutting property does not petition for the paving, the City Council can order the paving to be constructed under authority of gap "repaving" districts without formal petitions from property owners. The City Attorney has previously advised Public Works that multiple gap repaving districts will be required to repave the entire 2-1/2 blocks by this method. The cost to abutting property owners and subsidy by the City will be the same under either option.

I have attached a brochure that provides information concerning paving districts. Please contact Elmer Cole at 441-7581 if you would like to discuss a potential paving district.

Sincerely,

Dennis Bartels  
Engineering Services

cc: Mayor Coleen J. Seng  
City Council  
Roger Figard  
Allan Abbott  
Randy Hoskins  
Thomas Shafer  
Elmer Cole  
Bill Nass  
Ben Higgins  
Carol Dormer  
Maggie Kellner  
Karen Sieckmeyer

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APR 30 2004  
CITY COUNCIL  
OFFICE

Cepure Response Ltr tidq.wpd

**Roger A Figard**

04/26/2004 08:09 AM

To: Shannon M Ideus/Notes@Notes

cc: Benjamin J Higgins/Notes@Notes, Bill L Nass/Notes@Notes, Carol S Dormer/Notes@Notes, Karl A Fredrickson/Notes@Notes, Maggie Kellner/Notes@Notes, Thomas S Shafer/Notes@Notes, Dennis D Barteis/Notes@Notes

Subject: Re: InterLinc: Feedback

Maggie, I think this is one that Dennis Bartels should respond to. The details are a little sketchy but I believe this is a street with no curb and gutter and with out standard city paving. Dennis should respond about how a paving district is created and all that. Roger

Shannon M Ideus



**Shannon M Ideus**

04/25/2004 04:19 PM

To: Thomas S Shafer/Notes@Notes, Benjamin J Higgins/Notes@Notes, Bill L Nass/Notes@Notes

cc: Maggie Kellner/Notes@Notes, Carol S Dormer/Notes@Notes, Roger A Figard/Notes@Notes, Karl A Fredrickson/Notes@Notes

Subject: InterLinc: Feedback

I am pretty much forwarding this to all of you because of the possibility of future rehab on the street - or simply pot holes? (unknown what exactly the problem is), drainage problems - it really involves more than one specific problem or area. If you could let Maggie and Carol know who is responding to what - that would be helpful - so no "assumption" is made the "other person" is taking care of it. Thanks!

Shannon Ideus  
Engineering Services  
Public Works/Utilities  
City of Lincoln  
531 Westgate Boulevard/Suite 100  
Lincoln NE 68528  
(402) 441-4940  
sideus@ci.lincoln.ne.us

----- Forwarded by Shannon M Ideus/Notes on 04/25/2004 04:14 PM -----



**David A Jane'**

04/23/2004 08:40 AM

To: Mayor/Notes@Notes, PubWorks/Notes@Notes, Shannon M Ideus/Notes@Notes

cc:

Subject: InterLinc: Feedback

Feedback below, please review.

David Jané

Internet Support Specialist  
Citizen Information Center  
City of Lincoln  
Nebraska, USA  
402.441.8602

lincoln.ne.gov

----- Forwarded by David A Jane'/Notes on 04/23/04 08:36 AM -----



**DO NOT REPLY to this-  
InterLinc  
<none@ci.lincoln.ne.u**

To: Web Assistant <webhelp@lincoln.ne.gov>

cc:

Subject: InterLinc: Feedback





s>

04/22/04 02:50 PM

InterLinc: Feedback

Name: Jan Cepure  
Addr: 6221 Hartley St  
Location: Lincoln, NE 68507  
Phone: 4024643250  
Fax: 4024355533  
Email:  
Comments:  
To the Mayor,

I understand money is going to be spent on road repairs in Lincoln. Myself and my neighbors would like to know what can be done about the storm drains and poor road conditions on N 63rd street, south of Fremont Street for about 2 and one half blocks. I find it odd that Pershing Elem. and Northeast High are both on N 63rd and the road is heavily traveled daily but remains in very poor condition. Any answers or solutions would be welcome.

Jan Cepure



RHoskins@ci.lincoln.ne.us

04/30/2004 02:04 PM

To: "Rick Reeble" <rickr64@yahoo.com>  
cc: council@ci.lincoln.ne.us, Mayor@ci.lincoln.ne.us,  
MKellner@ci.lincoln.ne.us

Subject: Re: "A" Street Project

RECEIVED

APR 30 2004

CITY COUNCIL  
OFFICE

Thank you for forwarding your thoughts on this situation. I'll address a couple of the points you made.

The reason you weren't notified of the meeting is that you live beyond the limits of the actual restriping of A Street, since your block already has no parking. That fact does not mean you'll be entirely unaffected by this project, and in retrospect, we should have notified the owners on your block as well. With no parking on your block and only 5 spaces being removed between 25th and 26th, the parking situation you mentioned on 26th Street shouldn't be substantially worsened.

Speeds along A Street might increase, but the removal of parking does not necessarily make this less safe for families and children. More pedestrian crashes occur as a result of pedestrians coming out from behind parked cars than almost any other reason.

The 49 crashes in three years that were cited as being correctable by the installation of a center left turn lane only referred to the locations where no left turn lanes currently exist. There were 114 total crashes along A Street between 10th and 27th (not including the intersections at the ends). Many of these non-correctable crashes occurred at 13th, 16th and 17th.

Randy Hoskins, P.E.  
City Traffic Engineer  
City of Lincoln, NE

"Rick Reeble"  
<rickr64@yahoo.co To:  
<RHoskins@ci.lincoln.ne.us> m> cc:  
<mayor@ci.lincoln.ne.us>, <council@ci.lincoln.ne.us>  
Subject: "A" Street Project  
04/30/2004 11:00  
AM  
Please respond to  
"Rick Reeble"

Randy,

Just wanted to weigh in on the "A" Street Project (10th to 27th) since I was not notified of the meeting concerning this project.

I travel "A" Street and 13th Street to my office at Nebraska Book Co every day. I travel this route roundtrip twice a day, to work, home and back

for lunch and home at the end of the day. My wife travels from our home to 1st Plymouth Early Education Program every day for work. When returning from work she must make a left on to "A" Street heading East. She does not have any trouble getting safely on to "A" Street. I also frequently make this trip.

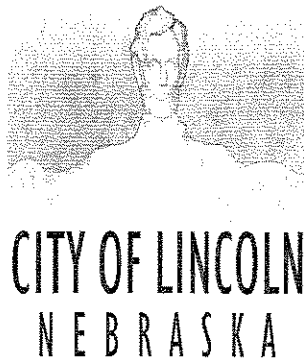
The traffic on "A" street does not warrant a suicide lane at any time during the day. Removing the parking on "A" Street to add a suicide lane will only turn the street into a racetrack, making it more dangerous for the families and children that live in the residential area that "A" Street bisects. Also, removing the parking from "A" Street is going to mean even more crowded parking on the side streets. Already 26th Street from "A" to Washington is completely full in the evening. It makes the street so narrow I doubt you could get a firetruck or ambulance down the street during an emergency.

I am curious how many of the 49 accidents you quoted on TV for this stretch happen at the major intersections of 10th, 13th, 16th, 17th, and 27th streets? A suicide lane is not going to help these intersections as they all have left turn lanes already.

I am wholeheartedly against adding a suicide lane to "A" Street. I live on it and drive it frequently. The suicide lane is not needed.

Rick Reeble  
2645 A Street  
Lincoln, NE 68502-1843  
rick@reeble.net

cc: Mayor Seng, City Council



# PUBLIC WORKS & UTILITIES ADVISORY

MAYOR COLEEN J. SENG

RECEIVED

MAY 03 2004

CITY COUNCIL  
OFFICE

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

May 3, 2004

## **WATER MAIN PROJECT 500200 North 14th Street; Superior Street - Fletcher Street**

The City of Lincoln Public Works Engineering Services would like to take this opportunity to update you on an upcoming water main capital improvements project in your area. H.R. Bookstrom Company of Lincoln, Nebraska has been awarded this contract.

This project will consist of the construction of a 30-inch water main along the east side of North 14th Street, Superior to Fletcher in the first phase. The contractor plans to begin working at Superior Street and proceed north. Therefore, on May 10, 2004, North 14th Street will be closed to thru traffic between Superior and Fletcher. North 14th Street will be open to local traffic only from Hilltop Road to Fletcher Street. The thru traffic will be detoured to use Arbor Road, 27th Street, and Superior Street.

After this phase, work will continue to Morton Street. After the water main construction has passed Morton Street, North 14th Street will be open from Morton Street to Superior Street for local traffic only. During this time, North 14th Street will be closed from Morton to Fletcher.

Due to roadway congestion from construction, caution should be observed by the local residents. Access to local residential driveways will be maintained.

After the water main is constructed, the entire North 14th Street roadway from Superior to Fletcher will be resurfaced with new asphaltic concrete.

This project is scheduled to be completed by July 15, 2004.

If you have any questions about this project, please call me at 441-8401 or 441-7711.

Larry Duensing  
Project Manager  
City of Lincoln, Engineering Services

## INTEROFFICE MEMORANDUM

TO: Mayor Seng  
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Real Estate Division

ATTENTION:

DATE: May 6, 2004

COPIES TO: Joan Ross  
Marvin Krout  
Dana Roper  
Byron Blum

SUBJECT: Street & Alley Vacation No. 03020  
East-West Alley between South and  
Saylor Streets, west of 55<sup>th</sup> Street

RECEIVED  
MAY 06 2004  
CITY COUNCIL  
OFFICE

A request has been made to vacate the alley lying westerly from South 55<sup>th</sup> Street between Saylor and South Streets. This is a paved alley which dead-ends on the west end into the parking lot associated with an office building under construction. There is a retaining wall along the south side of the alley with the property to the south being approximately 3 feet below the grade of the alley while the property to the north is at the alley grade and then rises slightly to the north. The only utilities observed in the alley were overhead lines that appeared to be for electric as well as telephone and cable. Representatives from Alltel and Lincoln Electric System have indicated a portion of that line will be removed and it is only necessary to retain easements to the north 5 feet of the easterly 100 feet of the area to be vacated. This easement is needed to provide service to the 2 residential lots on the north side at the east end of the alley. It appears there are no other utilities within the area.

Long, narrow strips such as this tend to have very little utility, hence very little value as a free-standing parcel. However, once they are assembled into the abutting property, they take on the value of the property to which they are assembled. In this case, the surrounding zoning is both residential and business. A portion of the residential property abutting the alley is utilized as parking in conjunction with the office building opposite the alley. As such, it tends to have a value more in line with the office use of the property. The value of office land is expected to fall in the range of \$5 to \$7 per square foot. The value of the area to be vacated would be expected to fall at the lower end of the range because of the varied zoning. The 2 residential lots on the easterly end of the alley are considered to have a residential lot value more in the neighborhood of \$3.50 per square foot. The value of the vacated alley will be apportioned according to what is adjacent with respect to zoning and land uses.

The majority of the alley (the south half of the entire alley and the north half from a point 100 feet west of the 55<sup>th</sup> Street right-of-way line to the westerly end) is adjacent to properties having a more intense business zoning and office use. The value of these abutting properties is estimated at \$5 per square foot. It is expected while a owner would not pay 100% of the anticipated value of the area once it is assembled into their land; they would pay somewhere between 25% and 50% of that value. In this case, a value of 40% of the abutting land value, or \$2 per square foot, is considered appropriate.

The north half of the alley adjacent to the 2 residential lots at the easterly end are considered to have a lower value due to the zoning and use and the retention of an easement for utilities. Because of its long, narrow shape and the existence of utilities which will have to be accessed on a somewhat frequent basis, the area, if vacated, would be considered to have only a nominal value of \$0.15 per square foot.

The total value of the alley, should it be vacated, is considered to be \$7,065.00 broken down as follows:

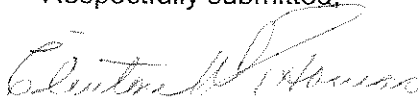
Street & Alley Vacation No. 03020  
May 6, 2004  
page 2

North Half of East 100 feet	700 sq. ft.	X	\$0.15/sq. ft.	=	\$ 105.00
Remainder of alley	3,480 sq. ft.	X	\$2.00/sq. ft.	=	\$6,960.00

Therefore, it is recommended, if the alley be vacated, it be sold to the abutting property owners on the following basis:

North half of the easterly 100 feet of the alley	\$105, or \$52.50 per abutting lot
Remainder of the alley	\$6,960

Respectfully submitted,



Clinton W. Thomas  
Certified General Appraiser #990023

dge

# Combined Weed Program

## City of Lincoln

### April 2004 Monthly Report

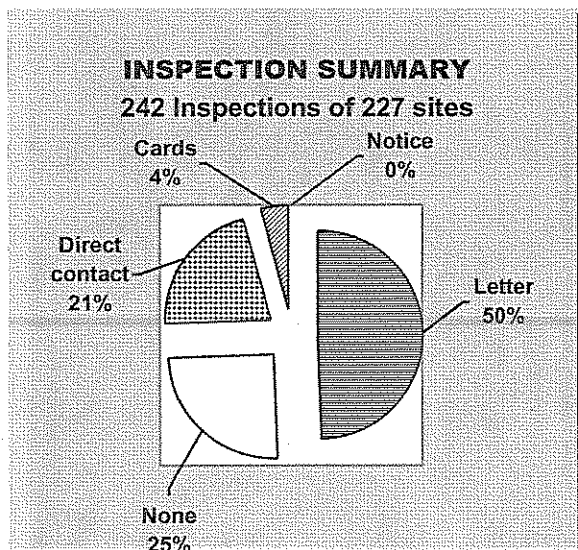
RECEIVED

#### Inspection Activity

242 inspections on 227 sites were made during the month.

#### Noxious Weeds

- Made 242 inspections on 227 sites on 1,577 acres.
- Found 172 violations on 263 acres.
  - 151 musk thistle
  - 21 leafy spurge
- Found no violations on 55 sites.
- 1 site controlled by inspectors.



- Sent 108 letters, 9 trace cards and made 47 personal contacts.
- 69 control plans have been received.
- Control is pending on 171 sites.

#### Sanitary Landfills

Inspection of the 48<sup>th</sup> Street and Bluff Road Sanitary Landfill sites have been completed and the contractor has begun control efforts.

#### Weed Abatement

- Inspections will begin May 10. 84 CITY COUNCIL complaints have been received to date. OFFICE

MAY 03 2004

#### APRIL Activities

- 1 Spring spray seminar Hastings
- 6 County Inspectors started
- 8 Mgt Team Mtg
- 22 LPWMA Meeting
- 30 Monthly activity report
- Contract for landfill site spraying
- Monitor public land managers control efforts
- Musk thistle inspections
- Budget preparation

#### Planned MAY Activities

- 10 Begin City Weed Abatement inspections
- 13 Mgt Team Mtg
- 14 Prepare leafy spurge roadside map
- 15-31 leafy spurge roadside spraying
- 20 LPWMA meeting

#### Saltcedar

The Nebraska Department of Agriculture is considering the designation of Saltcedar as a noxious weed.



This plant has become a major problem in the southwestern US. It is impacting water supplies, wildlife habitat and native plants. It is now being found along the Platte River and other streams in southwest Nebraska. Only a few plants have identified in Lancaster County, but has the potential to invade salt water wetlands along Salt Creek.






**Joan V Ray**

04/30/2004 09:02 AM

To: Strgbedes@cs.com

cc:

Subject: Re: Street Changes 

Dear Ms. Bede: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

Strgbedes@cs.com



**Strgbedes@cs.com**

04/29/2004 09:50 PM

To: mayor@ci.lincoln.ne.us, council@ci.lincoln.ne.us

cc:

Subject: Street Changes

Dear Mayor Seng & City Council Members,

As a parishoner of Trinity United Methodist Church at 16th & "A" and a concerned friend of our daycare children & staff & as a person who has experiences with center lane turn segments I would like to express a few viewpoints.

The safety of children along the sidewalk & our church folk walking along the sidewalk make a cut-back dangerous in my opinion.

People will rarely need to turn left along "A" from the center lane encouraging persons in the right & left sides to speed. I have observed this. Yes, it moves the outsidess lanes along which might cause more accidents, ultimately.

People are confused when to enter the center lane. I have had persons come out of the center lane after they had waited a long time and not accomplish their turn. This caused a sudden reaction of the driver to the right. Is the beauty of this underused portion of cement equivalent to the green of a parking and its trees & driver safety???

We have many elderly & physically challenged persons attending our church. We care about them & want their presence. The accommodation of being left off at the "A" Street door by our van or their driver will be lost. Have you observed all the delivery & picking up of persons on Sunday not alone the parents bringing their children or picking up their children at a day care with a safe & compassionate track record of over 25 years?!?

Thank you for reading my opinions & studying this concept further.

Mary Ann Bede 7240 Carmen Drive  
Lincoln, NE 68516

RECEIVED  
APR 30 2004  
CITY COUNCIL  
OFFICE





"Rick Reeble"  
<rickr64@yahoo.com>

04/30/2004 11:00 AM  
Please respond to "Rick  
Reeble"

To: <RHoskins@ci.lincoln.ne.us>  
cc: <mayor@ci.lincoln.ne.us>, <council@ci.lincoln.ne.us>  
Subject: "A" Street Project

RECEIVED

APR 30 2004

CITY COUNCIL  
OFFICE

Randy,

Just wanted to weigh in on the "A" Street Project (10th to 27th) since I was not notified of the meeting concerning this project.

I travel "A" Street and 13th Street to my office at Nebraska Book Co every day. I travel this route roundtrip twice a day, to work, home and back for lunch and home at the end of the day. My wife travels from our home to 1st Plymouth Early Education Program every day for work. When returning from work she must make a left on to "A" Street heading East. She does not have any trouble getting safely on to "A" Street. I also frequently make this trip.

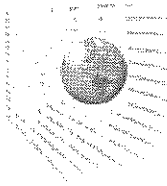
The traffic on "A" street does not warrant a suicide lane at any time during the day. Removing the parking on "A" Street to add a suicide lane will only turn the street into a racetrack, making it more dangerous for the families and children that live in the residential area that "A" Street bisects. Also, removing the parking from "A" Street is going to mean even more crowded parking on the side streets. Already 26th Street from "A" to Washington is completely full in the evening. It makes the street so narrow I doubt you could get a firetruck or ambulance down the street during an emergency.

I am curious how many of the 49 accidents you quoted on TV for this stretch happen at the major intersections of 10th, 13th, 16th, 17th, and 27th streets? A suicide lane is not going to help these intersections as they all have left turn lanes already.

I am wholeheartedly against adding a suicide lane to "A" Street. I live on it and drive it frequently. The suicide lane is not needed.

**Rick Reeble**  
**2645 A Street**  
**Lincoln, NE 68502-1843**  
**rick@reeble.net**

cc: Mayor Seng, City Council



Joan V Ray

04/30/2004 12:45 PM

To: Carmen Maurer <cmaurer@nebraska.edu>  
cc: mayor@ci.lincoln, laurenekdahl@trinityumc-linc.org,  
pnewman@ci.lincoln.ne.us, jcamp@ci.lincoln.ne.us,  
jcook@ci.lincoln.ne.us, amcroy@ci.lincoln.ne.us,  
twerner@ci.lincoln.ne.us, ksvoboda@ci.lincoln.ne.us,  
gfriendt@ci.lincoln.ne.us, jray@lincoln.ne.gov,  
tgrammer@lincoln.ne.gov, mmmeyer@lincoln.ne.gov

Subject: Re: Changes to Parking on "A" Street

Dear Ms. Maurer: Your message has been received in the Council Office and the Council Members will give your concerns every consideration. Thank you for your input on this issue.

Joan V. Ray  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6866  
Fax: 402-441-6533  
e-mail: jray@ci.lincoln.ne.us  
Carmen Maurer <cmaurer@nebraska.edu>

RECEIVED

APR 30 2004

CITY COUNCIL  
OFFICE



Carmen Maurer  
<cmaurer@nebraska.edu>

04/30/2004 12:30 PM

To: mayor@ci.lincoln  
cc: laurenekdahl@trinityumc-linc.org, pnewman@ci.lincoln.ne.us,  
jcamp@ci.lincoln.ne.us, jcook@ci.lincoln.ne.us,  
amcroy@ci.lincoln.ne.us, twerner@ci.lincoln.ne.us,  
ksvoboda@ci.lincoln.ne.us, gfriendt@ci.lincoln.ne.us,  
jray@lincoln.ne.gov, tgrammer@lincoln.ne.gov,  
mmmeyer@lincoln.ne.gov

Subject: Changes to Parking on "A" Street

Dear Mayor Seng and other interested parties:

I am a member of Trinity United Methodist Church located at 16th and "A" Streets. My child also attends the Trinity Infant and Child Care Center located in the church. I am writing you to express my strongest objections to the plan to eliminate parking on "A" Street, particularly on the north side of "A" Street between 15th and 16th Streets, an area that is regularly used for loading, unloading and parking for weddings, funerals, the daycare, as well as numerous events and activities that take place at the church throughout every week.

I sincerely believe that Trinity's presence and its frequent programming/activities is absolutely a critical element to the health and welfare of the surrounding neighborhood. While I am very fond of the Near South Neighborhood, and indeed, do not live so far away from it, statistics show that it is a neighborhood in which crime is more likely to occur than many other parts of Lincoln. It's hard to prove exactly what impact Trinity's presence has on bad acts in the neighborhood. We hope that some of our programs, such as FoodNet, AA, NA, the food pantry, gas vouchers, youth and family festivals, and others have a positive and direct impact on that neighborhood. Yet I suspect that the indirect impact of our church business has just as important a connection to the vitality of that

neighborhood. It only takes a bit of common sense to know it's much harder to strike a nearby drug deal or attack a pedestrian when you have hundreds of people coming and going from Trinity's facilities every day, but to "come and go", one must park. Given that, I believe that the City should take what reasonable steps that it can to facilitate the good activities that go on at Trinity, which includes a reasonable approach to our limited parking.

It's my understanding that the present plan is based upon a study that is nine years old. It seems to me that traffic and business development have changed significantly in the past nine years, with more businesses moving away from downtown and our older neighborhoods. While I see significant gridlock on those arterials farther away from the downtown area, I promise you that in my morning and evening trips from home to work, my passage through the 16th and 17th Street areas is not a difficult issue.

Please consider solutions other than banning parking at this location, including greater enforcement of speed limits or lower speed limits, if you truly feel safety has become a serious issue at 16th and "A". The present plan shows no sign of consideration of those people at our church who have ever tried to move a casket, or load a bus of kids for a field trip, or attended a Sunday service for that matter. Those of us that actually engage in those activities know that the safest place to load and unload is right next to the south of the church on "A" Street--with the close sidewalk connection to the loading zone. (I wouldn't unload my child in a location that was unsafe!) If the City traffic planners would walk in the shoes of those that actually use this church facility, and see how parking is related to the church's contribution to the neighborhood, I suspect that alternative plans would be more seriously considered.

As you know, I am the single mom of an active child. As such, I am not able to attend City Council or other meetings that may discuss this topic. I hope this e-mail will be given the same weight as my personal appearance. Thank you very much for your consideration.

Carmen K. Maurer  
1636 Otoe Street  
Lincoln, Nebraska 68502



CAMPJON@aol.com

04/30/2004 07:28 PM

To: jray@ci.lincoln.ne.us (City Council)

cc:

Subject: Fwd: Changes to Parking on "A" Street

RECEIVED  
MAY 03 2004  
CITY COUNCIL  
OFFICE

Jon Camp, Chair  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

----- Message from Carmen Maurer <cmaurer@nebraska.edu> on Fri, 30 Apr 2004 12:30:08 -0500 -----

To: mayor@ci.lincoln

cc: laurenkdahl@trinityumc-linc.org, pneman@ci.lincoln.ne.us, jcamp@ci.lincoln.ne.us, jcook@ci.lincoln.ne.us, amcroy@ci.lincoln.ne.us, twerner@ci.lincoln.ne.us, ksvoboda@ci.lincoln.ne.us, gfriendt@ci.lincoln.ne.us, jray@lincoln.ne.gov, tgrammer@lincoln.ne.gov, mmmeyer@lincoln.ne.gov

Subject: Changes to Parking on "A" Street

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As you know, I am the single mom of an active child. As such, I am not able to attend City Council or other meetings that may discuss this topic. I hope this e-mail will be given the same weight as my personal appearance. Thank you very much for your consideration.

Carmen K. Maurer  
1636 Otoe Street  
Lincoln, Nebraska 68502

*michael storey*  
569 welham loop  
laplace, la 70068  
985-359-1482

RECEIVED  
MAY 03 2004  
CITY COUNCIL  
OFFICE

Sat., May 1, 2004

Honorable Coleen J. Seng  
Mayor of Lincoln  
555 S. 10th Street, Suite 208  
Lincoln, NE 68508

RE: smoking is optional, breathing is not

Dear Mayor Seng,

The time is now.

Yours for a smokefree future,

*michael storey*

Cc: Tammy Grammer, Council Staff  
Honorable Patte Newman,  
Councilmember, District 1  
Members, Board of Health  
Honorable Terry Werner, Vice-Chair  
Honorable Jonathan Cook,

Councilmember, District 3

Joan Ray, Council Staff ✓

Honorable Ken R. Svoboda,  
Councilmember at large

Honorable Glenn A. Friendt,  
Councilmember at large

Honorable Jon Camp, Councilmember,  
District 2

Honorable Annette McRoy,  
Councilmember, District 4

The Lincoln Journal Star recently carried a front-page article, in which this gentleman, Robert Moline, addressed the Lincoln City Council as an advocate for real estate development. Mr. Moline maintained that inaction on the part of the Lincoln City Council to further lot-development by the City, would manifest itself in a lack of affordable housing for those of low and moderate income. After reading the enclosed article "HomeServices CEO earns Realtor of the Year honor," it appears evident that Mr. Moline better serves the interests of Home Real Estate, Woods Bros. Realty, Berkshire Hathaway affiliated companies, and his own self interest, as opposed to the concerns for affordable housing.

## HomeServices CEO earns Realtor of the Year honor

Robert Moline, CEO of HomeServices of Nebraska, was named 2004 Realtor of the Year by the Nebraska Realtor Association.



MOLINE

The award was presented April 13 at the Nebraska Realtors Association Convention's Grand Luncheon. According to the association, the purpose of the

award is to select the Realtor who has contributed the most to the advancement of the real estate profession, along with community involvement and leadership in businesses and organizations.

Moline has been extensively involved with the state, national and local real estate boards. He has served on numerous committees with the Nebraska Realtors Association, earning numerous outstanding service awards and the Outstanding Service and Dedication Award as 2003 Large Company Director.

An active member of the Realtors Association of Lincoln, Moline has received the Meritorious Service Award, the President's Achievement Award and is a former president of the Midlands Multiple Listing Service board of directors.

He is a commissioner on the Nebraska Real Estate Commission, appointed by Gov. Mike Johanns in 1999. Moline also is an elected General Member Representative on the Real Estate Services Providers Council board of directors in Washington, D.C.

In addition to real estate, Moline was the Cornhusker Council President of the Boy Scouts of America from 1999 to 2001 and is greatly involved in Southview Christian Church and the Downtown Lincoln Lions Club.

Moline and his wife, Deb, have three sons: Adam, Craig and Kyle. They were all in attendance when he received the award, along with his parents, Lyell and Fayette Moline.

HomeServices of Nebraska, a Berkshire Hathaway affiliate, is the holding company for Home Real Estate and Woods Bros. Realty.

4A JOURNAL STAR  
Monday, April 19, 2004

# GOOD BUSINESS

## Business Achievements

*Business Achievements are paid announcements*

RECEIVED

MAY 03 2004

CITY COUNCIL  
OFFICE



May 01, 2004

RECEIVED

MAY 03 2004

CITY COUNCIL  
OFFICE

Dear City Council members,

I am writing in regard to the elimination of parking along "A" Street, specifically between 15th and 16th. I was unable to attend the meeting last evening at Trinity because I was at a First Aid class. You see, I have been teaching 3 and 4 year olds at Trinity Infant & Child Care Center for over 12 years and one of our primary concerns is for the children's safety.

I am also a 35 year member of Trinity United Methodist Church. I use "A" Street a minimum of six days a week year round. I feel this is a very important issue.

I ask you to consider ~~not~~ completing this proposed elimination and striping project for the following reasons.

It has not been proven to be a need.

Speed on "A" Street will increase

I believe the turn lane will be used as a passing lane like I have witnessed on 27th between South & Hwy 2.

Eliminating parking on "A" will be a hardship on the people who live, work or utilize this area. The density of the neighborhood makes every parking space important. There are few alternatives.

I am also opposed to a loading zone on "A" Street that would jeopardize the safety of our children. We use that sidewalk walking to and from the playground several times each day. A loading zone there would place children's bodies too close to vehicle traffic. With the responsibility of ten children, it is difficult enough to insure each child's safety, even without the added danger of moving cars.

I am asking you to please think about the people, little and big, who would be adversely affected by this change. I can see no benefit to the citizens of Lincoln.

Thank you for listening to my concerns.

Sincerely,



Penny Pueppke  
3730 Pace Blvd.  
Lincoln, NE 68502

TERI GONZALEZ & FAMILY RE:  
FLOOD INSURANCE COSTS

Copies to  
CC on  
5-03-04

5-01-04

RECEIVED  
MAY 03 2004  
CITY COUNCIL  
OFFICE

To whom it may concern;

RE: Flood Standards/Lincoln N.b.

The Gonzalez family as  
owned the property at - 349  
South 1<sup>st</sup> Street - for many, many  
many years.

The property at 349 South  
1<sup>st</sup> street is in a flood plane  
so we have to pay extra and  
carry flood Insurance.

Since 1996 the flood  
insurance runs anyway from  
\$600 to \$800 a year

\$7,200.00

\$800.00

X 9 years

\$7200.00

With nothing in sight to have  
the Flood Insurance go away  
any time soon that's another

\$800.00 a year that will have to be paid.

I would agree -

1. No Net Rise
2. Minimum Flood Corridor
3. No Adverse impact
3. Compensatory storage

should be major flood policies & standards.

Thank you!

The Gonzalez Family  
349 South 1<sup>st</sup> street  
Lincoln, Neb 68508  
402-476-7395

Rui Gonzalez  
Mandy J Gonzalez  
Joe Gomez

Friends of Wilderness Park submits the following two amendments to the Proposed Flood Standards for New Growth Areas:

1) Drainage Criteria Manual

Appendix 1-C

Glossary of Key Terms

Minimum Flood corridor: Minimum flood corridor shall mean the existing channel bottom width plus [strike "60"] 200 feet plus 6 times the channel depth and the corridor will be centered on the channel, as shown in Figure 1-C-1 below, or aligned such that the corridor follows the natural flow of flood waters.

Figure 1-C-1: Minimum Flood Corridor

On figure, strike "30' minimum" and replace with 100' minimum on each bank.

2) Drainage Criteria Manual

Chapter 10

10.1 Definitions

Minimum Flood Corridor

Minimum flood corridor shall mean the existing channel bottom width plus [strike "60"] 200 feet plus 6 times the channel depth and the corridor will be centered on the channel, as shown in Figure 10-1 below, or aligned such that the corridor follows the natural flow of flood corridors.

Figure 10-1: Minimum Flood Corridor

On figure, strike "30' minimum" and replace with 100' minimum on each bank.

Mary Roseberry-Brown, President, Friends of Wilderness Park  
1423 F Street  
Lincoln, NE 68508  
477-8282

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MAY 04 2004  
CITY COUNCIL  
OFFICE

**Joan V Ray**

05/04/2004 09:17 AM

To: "Mike Carlin" <MCarlin@talentplus.com>

cc:

Subject: Re: CLARIFICATION 

Dear Mr. Carlin: I checked to verify the information with the City Clerk's Office. The plan is to have the regularly scheduled 1:30 p.m. Council Meeting and then, at 4:00 p.m., re-open the public hearing on the New Area Flood Plain. This is unusual, to be sure, but Council wanted to insure that everyone has an opportunity for input on this very important community issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"Mike Carlin" <MCarlin@talentplus.com>



"Mike Carlin"  
<MCarlin@talentplus.com>

To: <jray@lincoln.ne.gov>

cc:

Subject: CLARIFICATION

05/04/2004 08:44 AM

Ms. Ray,

Regarding the New Growth Area flood plain standards public hearing that started last night, I would like to confirm that the City Council will re-open the public hearing at 4:00pm on Monday, May 10<sup>th</sup>.

Thank you,

Mike Carlin

mcarlin@talentplus.com

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MAY 04 2004  
CITY COUNCIL  
OFFICE



JCookCC@aol.com

05/03/2004 10:18 PM

To: JRay@ci.lincoln.ne.us

cc:

Subject: Fwd: 'A' Street Striping Project

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MAY 04 2004  
CITY COUNCIL  
OFFICE

Joan,

Please place this on the Directors' Agenda under Misc. correspondence. Thank you.

----- Message from "Susan Sapp" <ssapp@cline-law.com> on Mon, 03 May 2004 20:29:22 -0500 -----

To: <mayor@ci.lincoln.ne.us>, <WBOLES@telesis-inc.com>

cc: <jcookcc@aol.com>, <jon@carlsonforcouncil.com>,  
<dgonzolas@ci.lincoln.ne.us>

Subject 'A' Street Striping Project

:

Dear Mayor Seng,

We have met before but you may not remember me. I am Susan Sapp. I am an attorney at Cline Williams and I am also Wayne Boles' stepdaughter.

I am writing with grave concern about the contemplated changes on A Street between 10th and 27th. I am writing with different concerns than you may have heard from others and I am very hopeful you will give me a few minutes of your time on this important issue.

Our family lives in southwest Lincoln and I am a life-time resident. We made a commitment to downtown Lincoln 8 years ago when our oldest child started school. Our children have attended McPhee, Park Middle School and our youngest attends Trinity Methodist Preschool. We are daytime downtown dwellers by choice and are fierce supporters of the near south and downtown communities, because of a strong belief that it truly takes a village to help children grow and succeed in our more urban neighborhood areas, and if the "haves" all stay out in the suburbs and keep their children at suburb schools, there is no one to help where the help is needed most. I am a three-time McPhee PTA President for those very reasons. We don't expect applause for our work in this area; we work because we believe in downtown and the children who reside there.

At the same time, we have also had to be very diligent that our children are safe. This means dealing with afterschool transportation, etc, in streets that have far more traffic and "activity" than the streets in our home neighborhood. It means more congested travel time and pickups before and after school. Each year the logistics get more and more difficult as we try to make sure we leave work in time to pick up three different children at three different places, all before 5:30.

The "A" Street Parking at Trinity is absolutely crucial to making our commitment to downtown continue to be possible. I know that may sound odd, but knowing our children leave and enter the building on the A Street side two times a day to get to their playground is scary, already; and some of the proposed changes would absolutely threaten their well-being due to the proposed setback being extremely close to the students as they enter and exit the building. Any accident on the street quickly becomes a fatality if the alternative of a setback is used. The loss or injury to even one of our precious children is far too much, especially when so little appears to be gained by the proposed

changes to the street and left turn lane.

Also, getting children picked up and negotiating early and late day traffic will be horribly hampered if parking is not available on A Street. There is insufficient parking already; the loss of 10 slots will be devastating. I simply do not know how I can leave work and get all three of my children picked up from three different places by 5:30 if I can't use the A street slots. I fear it is not "doable." At a minimum, it makes yet one more hurdle I have to cross to fulfill my commitment to downtown and my commitment to having my children and family be part of its growth and success. At some point, I fear it will simply become too unsafe or too difficult and I just won't be able to do it. I know that the A street project doesn't sound like a big deal to some, but it is a HUGE deal to us.

Please don't let the city folks make changes just for the sake of change when so very many people will be adversely affected. We are not the only family who has made a commitment to downtown and being part of the community there. Please don't let the city folks hamper our travel and access to our children and more importantly, don't let them impair the safety of the children at Trinity. This is especially true when 16th street is a one way to the south!! No one can turn left there, so why must we endanger our children and hamper our access to quality downtown child care with a left turn lane where no one can turn left? I have never, ever in the last 8 years seen even a stitch of a problem on A street, anywhere between 10th and 27th, and it is a street I travel multiple times a day, five days a week.

I implore you to please stop this ill-conceived, unnecessary project and leave A street the way it is. We have enough streets and intersections that need real attention and change in Lincoln. This one doesn't. So as the saying goes, "If it ain't broke, don't fix it."

Thank you for your time.

Respectfully, Susan K. Sapp, Attorney, Cline Williams Law Firm,  
474-6900, and Joshua, Jared and Jamison's mother, 423-1677.

>>> Wayne Boles <WBOLES@telesis-inc.com> 4/30/2004 5:24:11 PM >>>  
The Honorable Colleen Seng  
Mayor  
City of Lincoln

Hi, Colleen!

I hope this finds you well and enjoying your calling.

Regarding the plan to remove the curbside drop-off area at Trinity Infant and Child Care, 16th & A Streets, and to eliminate parking on 'A' Street, the patrons of Trinity and residents of the Near South Neighborhood need to know that you and Alan are listening to their concerns. The representative from traffic operations, however, was not able to communicate this important

fact in two recent meetings.

May I respectfully suggest that your office call Deanna at Trinity, 475-9731, and offer for you and Alan to meet with citizens at the Trinity United Methodist Church venue? May I also respectfully suggest that you and Alan bring 50 to 100 hand-outs, which give traffic counts on 'A' Street over the past years, down to the present, and which explain the options which the City considers when various traffic thresholds are met?

Thank you, Colleen, for your consideration of this important communication issue.

Best wishes!

Sincerely,

Wayne

E. Wayne Boles  
(402) 434-5973



**Joan V Ray**

05/05/2004 08:59 AM

To: "mdbrady" <mdbrady@inebraska.com>

cc: <council@ci.lincoln.ne.us>

Subject: Re: 84th Street Construction

Dear Mr. Brady: Your message has been received in the Council Office and the Council Members will review your concerns and considerations. Thank you for your input on this issue.

Joan V. Ray

City Council Office

555 South 10th Street

Lincoln, NE - 68508

Phone: 402-441-6866

Fax: 402-441-6533

e-mail: jray@ci.lincoln.ne.us

"mdbrady" <mdbrady@inebraska.com>



"mdbrady"

<mdbrady@inebraska.com>

05/04/2004 05:52 PM

To: <council@ci.lincoln.ne.us>

cc:

Subject: 84th Street Construction

RECEIVED  
MAY 05 2004  
CITY COUNCIL  
OFFICE

Dear Mayor Seng:

I have some major concerns and questions with the street widening project along 84th St.

1. Why wasn't the widening of 84th to be done under traffic?

I was told by your traffic dept that there was a major pipe going down the middle of the street and that is why it was closed. If that is the case, why couldn't they have designed it so traffic could be maintained by putting the pipe next to the existing road thereby eliminating congestion on other Lincoln streets?

2. Why wasn't 98th St considered an alternative (or additional) detour?

I realize this is outside the city limits, but to the general public, we see housing developments within ¼ mile of this road and it absolutely makes no sense that it is NOT even paved yet (being that it is next to a city with a population of 200,000 + people)!!!!

So, instead of my usual 30 minute drive to work from northeast Lincoln to southwest Lincoln, I can now look forward to 45 minutes (unless of course I want to take the county roads or heaven forbid I go through town).

Surely you must realize the amount of traffic on 84th is not ALL going to

use 70th or 56th Street. I am at a loss as to why 98th St was never a priority for upgrade BEFORE 84th St was closed.....You MUST include county road upgrades (paving) if they are within 3 miles of the City Limits (even if it is NOT in a projected growth area). To do otherwise would be poor planning.

On another note.....is the City considering an Interchange with North 84th Street? There is a gap between 56th St and the new interchange. This would serve our end of town very well and make getting to the Interstate convenient to North East Lincoln.

Also, is the City also considering widening North 70th Street to Havelock?

North East and East Lincoln are terribly underserved. It seems like West, South and North Lincoln are getting all the 4 lane roads and it is time something was done about it!!

So, please Mayor, let me know what I can do to help our end of town!!!!!!!!!!

Thanks

Dave Brady  
7912 Yellow Knife Dr.  
Lincoln, NE 68505  
466-1534  
[mdbrady@inebraska.com](mailto:mdbrady@inebraska.com)

UNITED STATES DISTRICT COURT  
DISTRICT OF NEBRASKA  
OFFICE OF THE CLERK

Gary D. McFarland  
Clerk of Court

Denise M. Lucks  
Chief Deputy Clerk

Roman L. Hruska United States Courthouse  
111 South 18th Plaza, Suite 1152  
Omaha, NE 68102-1322  
(402) 661-7350  
Fax: (402) 661-7387  
Toll-Free: (866) 220-4381  
www.ned.uscourts.gov

Lincoln Office:  
P.O. Box 83468  
Lincoln, NE 68501-3468  
(402) 437-5225  
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MAY 05 2004

LANCASTER COUNTY  
BOARD

NOTICE

April 27, 2004

Case Number: 4:04CV3172  
Case Caption: Kane v. Seng, et al.  
Judge: Richard G. Kopf  
Magistrate Judge: F.A. Gossett III

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CITY COUNCIL  
OFFICE

The Clerk of Court acknowledges receipt of a Complaint or Petition initiating a civil action by a person who is proceeding pro se, that is, without an attorney. The case shall be placed on the Lincoln docket and the following Case Number has been assigned: **4:04CV3172**.

All future communications of any kind with the Court about this case **must** include the above Case Number.

☐ The filing fee has been paid in this case.

☒ A Motion for Leave to Proceed In Forma Pauperis has been filed in this case.

Gary D. McFarland  
Clerk of Court

# Michael Phipps Kane For Congress

U.S. House of Representatives

Libertarian

ex-con – biker – bounty hunter – lawyer

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OFFICE

# THE DOWNTOWNER

## A Newsletter of Lincoln, Nebraska

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MAY 05 2004  
LANCASTER COUNTY  
BOARD

This is a newsletter primarily dealing with the homeless of Lincoln

My name is Dennis W. Van De Mark, Sr., and although I originally come from Grand Island, Ne. I am now a resident of Lincoln. At the moment I am a homeless individual, but don't feel too worried, although at times it can be sometimes hard, we have learned, or I have learned that such persons can take care of themselves in many ways, and being new to this environment it has been a very interesting learning experience overall.

There is a lot of love for the homeless, and unfortunate in Lincoln, as expressed by such programs as Daywatch,, Matt Talbot Kitchens, The Catholic Social Services, St Vincent de Paul, and most notably to mention the general public at large (only to mention a few of many more that exist locally), and they are only a few in this short letter of concern and notation. Sometimes I am afraid that people will lose their concern about what is happening around them in their society; we don't always meet eye—to-eye on issues.

Many of these programs, like Daywatch and The Gatering Place need dire help financially to help the poor, hungry and homeless; although they are struggling, they seem to be able make it....barely! They need help.

Many people on the street have come to learn how to get help, but against great prejudice and prosecution; perhaps it might even be termed : persecution, simply because they are homeless and poor. But this never made much since to me in the ideal of the American Society in which I was raised to believe in. But, as we grow up we learn to find that the heaven which we believe we live in isn't that at all, and many of us have become even hostile to the basic elements of our fundamental beliefs.

One such situation is that which concerns the idea of "Panhandling." Sometimes there is much hostility towards those who are in need and have to ask for help. But, I always feel that it is better to suffer such a situation, in economic dismay, than to hear about some robbery, or murder in a convenience store, or otherwise, simply because they couldn't get enough money to meet their needs.

Recently, in the Northern District of the U.S District Federal Court, as reported by the Des Moines Register, that on or about Dec. 23, 2003 a Federal District Judge, Nan Nolan, issued a Judgment that Panhandling "was legal in the City of Chicago., and was fined in the sum of approximately \$500.0000 (dollars). When somebody suggested to me that I should go out and panhandle (because I didn't have a job) I ventured it and ended up in jail. I was aware of the case in Chicago and filed a Federal Lawsuit relative to the Chicago case and it is now pending.

Despite the fact that the City of Lincoln has been notified that it may be violating U.S. Constitutional Laws and Federal Laws and the Judgment of a Chicago Judge, it goes on violating with impunity. I have recently notified the Mayors Office regarding to potential damages to the City. And we will see what happens.

The homeless have the right to ask anyone for anything; it is a matter of free speech and free Press; the question is.... Do you believe in that kind of stuff anymore???? .....I do!!!

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MAY 05 2004

CITY COUNCIL  
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MAY 05 2004

LANCASTER COUNTY  
BOARD

Michael Phipps Kane  
libertarian candidate for US House  
District 12

% G A "Joe" Ljung Attorney at Law  
3900 South 39th Street  
City

To: Citizens of Lincoln

Cohen Seng has never had a real job a day  
Honest work would still be.

Since Mr Seng tried to put me in  
Regional Center as I criticized LPD I feel  
the same old Adolf Hitler clone needs  
to be recalled.

Seng is obviously unfit to hold public  
office has the ethical standards of a  
solid jailer.

Sincerely,

Michael Phipps Kane



DO NOT REPLY to this-  
InterLinc  
<none@lincoln.ne.gov>  
>

To: General Council <council@lincoln.ne.gov>  
cc:  
Subject: InterLinc: Council Feedback

05/05/2004 04:00 PM

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OFFICE

InterLinc: City Council Feedback for  
General Council

Name: John Layman  
Address: 2702 Colonial Drive  
City: Lincoln, NE 68502

Phone: 474-6723  
Fax: 474-6723  
Email: Jrmlayman@aol.com

Comment or Question:  
Memo to General Council  
From John Layman  
Date May 5, 2004

Topic: New Floodplain Ordinance:

Regarding Councilman Mr. Terry Werner question: "How would you appraise the value of someone's life?" My researched of publications indicates that different federal agencies place different value based on different techniques in estimating human life. The Department of Transportation estimate as of May 30, 2003 is \$3 million. The Environment Protection Agency priced life at \$6 million. The Food and Drug Administration uses a third formula, a sliding scale based on how many more years a new regulation might allow each person to live.

As you can see, it seems that there is quite a variation. It is reported that "this political tempest began as an academic dispute among economist some 25 years ago."

W. Kip Viscusi, a law and economics professor at Harvard Law School argues that using a flat rate value discriminates against a young person. He provides an example of a study that he conducted that puts a \$7 million value on human life. In applying the \$7 million to a 21 year old saved by an auto-safety rule and a 70 year old whose life has been prolonged by clean-air rules, "creates a severe inequity."

A British economist, Michael Jones-Lee conducted a survey that showed older people tended to be less willing to pay for government regulations that make slight improvements in their health and safety.

It is reported that using "willingness to pay" has attracted a following among cost-benefit analysis experts.

I will refrain from any opinions on the value of human life, given my lack of qualifications and schooling in this area of study.

I will ask the question, Was this question raised with the City's consultant? How many lives will be saved by raising the flood plain above the current national standard of 100 year floodplain?


The task I was asked to perform for the Home Builders Association was narrowed in scope because of limited time frame and my availability due to previous professional assignments. I concluded that I could quantify one of the financial impacts of these new rules, namely, an independent opinion as to what effect this ordinance will be upon the tax revenues to local government? I accepted the Gould Evan Goodman Study conclusions regarding dwelling units at face value for purposes of offering an opinion. It should be pointed out that the Homebuilders are not taking a position for or against this ordinance.

In reference to Councilman Jonathan Cook's question regarding transfer of density, my Scenario #3 should provide a reasonable response.. According to the cost benefit study as offered, the city's consultant's cluster development did in fact result in a transfer of the 177 single family lots on 58 acres under the current 100 year flood plain to 177 units on the remainder 10 acres of the subject site outside of the proposed new flood plain elevations. From a physical development feasibility, I concluded that the transfer of density resulted in apartments. Therefore, the development of apartments versus single family homes would result in a loss of potential tax dollars based on the assessed values of single family development versus apartments.

A thorough fiscal impact analysis of the new floodplain ordinance will address the impact of the ordinance on both sides ( revenues and expenditures) of a government budget. A cumulative fiscal impact analysis attempts to deal with all expected development within a jurisdiction over time. It can affect the rate, level, and timing of other development in the jurisdiction.

If you should have any questions I can be reached at 474-6723  
Respectfully submitted  
John Layman




 Joan V Ray

05/06/2004 08:34 AM

To: "Paul Williams" <pwill65578@neb.rr.com>

cc:

Subject: Re: A Street 

Dear Ms. Williams: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6867  
Fax: 402-441-6533

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MAY 06 2004  
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"Paul Williams" <pwill65578@neb.rr.com>



"Paul Williams"  
<pwill65578@neb.rr.com>  
m>

05/05/2004 09:49 PM

To: <mayor@ci.lincoln.ne.us>

cc: <council@ci.lincoln.ne.us>, <laurenekdahl@trinityumc-linc.org>

Subject: A Street

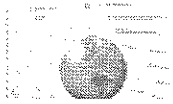
Dear Mayor,

This letter is sent as a plea to stop the "progress" to restripe A Street. I attended the informational meeting held at Trinity and I walked away with an awful feeling. The very people that you are said to have such trust in came to the meeting ill prepared, uninformed, and at times angry. They had no studies to back their plan and when asked if this would help solve the problem, their response was "I guess so." Please revisit this plan. Do we really need a left turn lane in front of Trinity when the road is a one way going South? Does increased speed and efficiency really justify the increased risk to the children of the Trinity Infant and Child Care Center? Is this plan being fair to a church that has stayed as a core city Church, supporting the low income and hungry citizens of this neighborhood? (We can not afford to lose the parking stalls or cover the costs of a cut away.) All this for a few less seconds of commute time, I hope not.

Please reconsider this plan, look for an alternative, do something to protect the children and the Church.

Thank you!

Cindy Williams  
Director of Youth Ministries  
Trinity United Methodist Church




**Joan V Ray**

05/06/2004 08:39 AM

To: "Walter A. Canney" <wacanney@inebraska.com>

cc:

Subject: Re: Smoke free work place 

Dear Mr. Canney: Your message has been received in the Council Office and will be forwarded to the Council Members. Thank you for your input on this issue.

Tammy J. Grammer  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6867  
Fax: 402-441-6533

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MAY 06 2004  
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OFFICE

"Walter A. Canney" <wacanney@inebraska.com>



**"Walter A. Canney"**  
<wacanney@inebraska.com>

05/06/2004 08:09 AM

To: "City Council" <council@ci.lincoln.ne.us>

cc:

Subject: Smoke free work place

More and more city's; nations; are truly addressing the health issue. Here is another University City that is a bit ahead of Lincoln!

## Lawrence (KS) Passes Smokefree Workplace Legislation

Last night, the Lawrence City Commission voted 4-1 in favor of smokefree workplace legislation. The law requires all workplaces to be smokefree, including restaurants and bars. Lawrence is one of Kansas' largest cities and home to the University of Kansas.

"Smokefree workplace legislation is happening throughout the U.S., and indeed the world, for a good reason," says Joe Cherner, spokesperson for BREATHE-- Bar and Restaurant Employees Advocating Together for a Healthy Environment. "Tobacco smoke causes disease. No one should have to breathe it to hold a job."

Ben Troja, a manager at Johnny's Tavern, thinks the law is a good idea, even though he is a smoker. He doesn't think the ordinance would chase customers away. "When it comes down to it," Troja said, "they're not going to stop going to their favorite tavern because they can't smoke there."

Commissioner Highberger summed up the vote by affirming that secondhand smoke was a public health hazard, and the freedom to breathe was more important than the freedom to pollute. Tobacco smoke "affects everyone in the room who is breathing that smoke."

<http://www.smokefree.net/alerts.php>

Walter A. Canney

8239 Dorset Dr.

Lincoln, NE 68510-5211

Phone: 402.489.2373




Joan V Ray

05/06/2004 12:52 PM

To: "Heather Wilson" <hmw@inebraska.com>

cc:

Subject: Re: A Street 

Dear Ms. Burt: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6867  
Fax: 402-441-6533

"Heather Wilson" <hmw@inebraska.com>



"Heather Wilson"  
<hmw@inebraska.com>  
>

To: <council@ci.lincoln.ne.us>

cc:

Subject: A Street

05/06/2004 12:42 PM

As a member of Trinity Methodist Church, I think the idea to close the streets from 27 to 10th would adversely impact the church, its members, children attending the church for various activities during the day and early evening hours. This would also impact the daycare at the church. I am writing to you to suggest that you revisit this idea.

Rebecca Burt  
5111 West Sumner Circle  
Lincoln, Nebraska

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MAY 06 2004

CITY COUNCIL  
OFFICE

**ADDENDUM  
TO  
DIRECTORS' AGENDA  
MONDAY, MAY 10, 2004**

**I. MAYOR**

1. NEWS ADVISORY - RE: Mayor Coleen Seng and the Lincoln Parks & Recreation Foundation will have an announcement about the fund-raising campaign to renovate the Sunken Gardens at a news conference at 9:00 a.m., Friday, May 7<sup>th</sup> - (See Release)
2. NEWS RELEASE - RE: Sunken Gardens Campaign Reaches Goal - Construction to begin this month - (See Release)

**II. CITY CLERK - NONE**

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS**

**JON CAMP**

1. Response E-Mail from Jon Camp to Doug Rotthaus, Lincoln Realtors - RE: Proposed flood plain regulations - (See E-Mail)

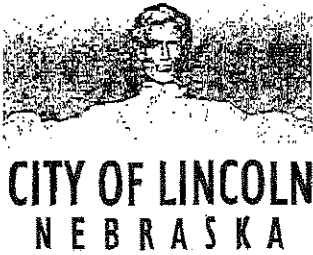
**B. DIRECTORS AND DEPARTMENT HEADS**

**HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Lincoln Gets an "A" - (See Release)

**C. MISCELLANEOUS**

1. Letter from Rosalind Morris - RE: The hearing on the Flood Standards last Monday evening - (See Letter)
2. E-Mail from Kathryn Wells - RE: Flood Plain Ordinance - (See E-Mail)



# NEWS ADVISORY

MAYOR COLEEN J. SENG

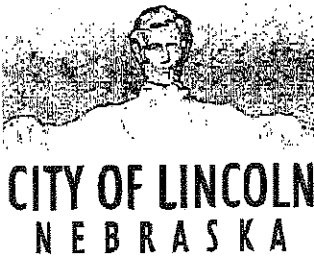
[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)**OFFICE OF THE MAYOR**

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**DATE:** May 6, 2004**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Mayor Coleen J. Seng and the Lincoln Parks and Recreation Foundation will have an announcement about the fund-raising campaign to renovate the Sunken Gardens at a news conference at **9 a.m. Friday, May 7 at the Gardens, 27th Street and Capitol Parkway**. If the weather is bad, the news conference will be moved to the Mayor's Conference Room, second floor of the County-City Building, 555 South 10th Street.

RECEIVED  
MAY 06 2004  
CITY COUNCIL  
OFFICE



# NEWS RELEASE

MAYOR COLEEN J. SENG

[www.ci.lincoln.ne.us](http://www.ci.lincoln.ne.us)

## OFFICE OF THE MAYOR

555 South 10th Street, Lincoln, NE 68508, 441-7511, fax 441-7120

**FOR IMMEDIATE RELEASE:** May 7, 2004**FOR MORE INFORMATION:** Diane Gonzolas, Citizen Information Center, 441-7831

Lynn Johnson, Parks and Recreation Department, 441-8265

Susan Larson Rodenburg, Parks and Recreation Foundation, 421-1401 or 440-3227

MAY 07 2004  
CITY COUNCIL  
OFFICE

## **SUNKEN GARDENS CAMPAIGN REACHES GOAL**

*Construction to begin this month*

Mayor Coleen J. Seng and the Lincoln Parks and Recreation Foundation announced today that the \$1.7 million fund-raising goal of the Sunken Gardens Renovation Project has been reached. Construction on the Gardens at 27th and Capitol Parkway is expected to begin in the next few weeks.

"When we launched this campaign a year ago, we were confident the citizens of Lincoln would respond generously, and they again showed their pride in our parks system," said Mayor Seng. "I want to thank everyone who donated to this important project and the Lincoln Parks and Recreation Foundation for taking the lead and partnering with the City to make this a reality. This is another example of what private and public partnerships can accomplish in Lincoln."

About \$50,000 for the project came from the Lincoln Cares voluntary donation program, which gives Lincoln Electric System customers the opportunity to donate one a dollar a month for Parks and Recreation Department improvements.

The Sunken Gardens were built as a Depression-era public works project during the winter of 1930 on an abandoned neighborhood dump site. The project to repair and update the aging infrastructure is the first major renovation of the Sunken Gardens. It includes a new handicapped-accessible entrance, an entry pavilion, a restored cascading water feature, new sculptural elements, restrooms, maintenance storage, renovated lily pools, an automated irrigation system and lighting.

Roger and JeNeane Dodson and Mike Seacrest of Lincoln chaired the campaign for the Lincoln Parks and Recreation Foundation. The Clark Enersen Partners designed the project after soliciting suggestions from the community and City officials. Sampson Construction of Lincoln will manage the renovation project. The Gardens will be closed to the public during the construction, which is scheduled to be completed by the end of November. A celebration rededicating the renovated Sunken Gardens is planned for spring 2005.

- more -

**Sunken Gardens****May 7, 2004****Page Two**

"With this renovation, we will increase the safety and accessibility of Sunken Gardens and preserve this important part of our history for future generations to enjoy," said City Parks and Recreation Director Lynn Johnson. "While the Gardens are closed, the public is invited to enjoy the additional display flower beds planted at the Rotary Garden just east of the Sunken Gardens across 27th Street."

The Gardens are the only Nebraska site listed in the "300 Best Gardens to Visit in the U.S. and Canada" in the National Geographic Guide to America's Public Gardens.

Lincoln Parks and Recreation Foundation President Clancy Woolman said two programs, "Paving the Path" and "One Flower Forever," will continue to allow donors to honor friends and loved ones at the Sunken Gardens. All funds from these programs will be placed in a Sunken Gardens endowment account, which will eventually support ongoing operations and maintenance of the Gardens. Since they were launched last October, the programs have collected about \$110,000. More information on these programs and the renovation project can be found at [www.lincolnsunkengardens.com](http://www.lincolnsunkengardens.com).





CAMPJON@aol.com

05/09/2004 04:04 PM

To: DougR@LincolnREALTORS.com ("Doug Rotthaus")

cc: dpodany@ci.lincoln.ne.us (Darrell Podany), jray@ci.lincoln.ne.us (City Council)

Subject: Re: Fw: Proposed flood plain regulations

Doug:

Thanks for your input. Stay tuned for tomorrow's (Monday's) continued public hearing commencing at 4:00 pm.

Jon Camp, Chair  
Lincoln City Council  
City Council Office: 441-8793  
Constituent representative: Darrell Podany

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MAY 10 2004  
CITY COUNCIL  
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# NEWS RELEASE

MAYOR COLEEN J. SENG



LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT

3140 N Street, Lincoln NE 68510 • Phone: 441-8000

Fax: 441-8323 or 441-6229

**FOR IMMEDIATE RELEASE:** May 7, 2004  
**FOR MORE INFORMATION:** Rick Thorson 441-6236

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OFFICE

## Lincoln Gets an "A"

The American Lung Association recently gave Lincoln and Lancaster County Nebraska, it's highest ranking of "A" for air quality for the third year in a row in its annual air quality report. This achievement is due to hard work on both the part of the Lincoln-Lancaster County Health Department as well as local businesses and industries that have significantly reduced their emissions of Volatile Organic Compounds and Nitrogen Oxides, which combine with sunlight to form low attitude ozone. This type of ozone differs from the atmospheric ozone layer associated with global warming.

Low level ozone, also known as smog, can irritate your respiratory system, causing coughing, irritation in your throat or a burning sensation in your airways. It can reduce lung function, so that you may have feelings of chest tightness, wheezing, or shortness of breath. Ozone can aggravate asthma and trigger asthma attacks. Lincoln has had no ozone action days - days in which ozone counts are high enough to warrant taking precautions such as staying indoors.

Lincoln and Lancaster county also enjoy low levels of other air pollutants, including particulate matter (soot) and carbon monoxide. Particulate matter (PM) is especially harmful to people with asthma, chronic obstructive pulmonary disease (i.e. chronic bronchitis and emphysema) and/or heart disease. High levels of PM can trigger asthma attacks and cause wheezing, coughing, respiratory irritation in individuals with sensitive airways. High levels of carbon monoxide can lead to increased numbers of heart attacks.

The American Lung Association reports, "over half of the U.S. population lives in counties which have unhealthy levels of either ozone or particle pollution." Lincoln residents are fortunate to be able to enjoy good air quality and the Lincoln-Lancaster County Health Department will continue to work hard to keep it that way.

3018 O Street  
Lincoln, NE 68510-1529  
May 6, 2004

Mr. Terry Werner  
Lincoln City Council Member-At-Large  
555 S. 10th St.,  
Lincoln, NE 68508

RECEIVED

MAY 07 2004

CITY COUNCIL  
OFFICE

Dear Terry:

Thank you very much for your letter of congratulations for my Cleanup and Beautification Award. It is rather frustrating to see litter dropped on the ground day after day, so it was rewarding to know that my efforts are appreciated. I was also pleased to see the Scott Middle School Green Team get the same award for their cleanup and recycling efforts - a great example for other schools.

I was at the hearing on the flood standards last Monday evening. I have a feeling that you will vote to approve the Flood Plain Ordinance as originally written. It should not be weakened by adding amendments that would narrow the Minimum Flood Corridor and allow fill in creeks.

Sincerely,

*Rosalind Morris*

Rosalind Morris



Joan V Ray

05/10/2004 08:14 AM

To: "K A Wells" <thegecko34@hotmail.com>

cc:

Subject: Re: Flood Plain Ordinance

Dear Ms. Wells: Your message has been received in the Council Office and will be forwarded to the Council Members for their consideration. Thank you for your input on this issue.

Tammy J. Grammer  
City Council Office  
555 South 10th Street  
Lincoln, NE - 68508  
Phone: 402-441-6867  
Fax: 402-441-6533  
"K A Wells" <thegecko34@hotmail.com>

RECEIVED  
MAY 10 2004  
CITY COUNCIL  
OFFICE



"K A Wells"  
<thegecko34@hotmail.com>

05/09/2004 02:14 PM

To: council@ci.lincoln.ne.us, commish@co.lancaster.ne.us,  
mayor@ci.lincoln.ne.us

cc:

Subject: Flood Plain Ordinance

Dear City Council Members, Commissioners, and Mayor Seng:

I write to urge you to approve the entire Flood Plain Ordinance as it was originally written, without the added amendment to narrow the Minimum Flood Corridor, and without any future amendment allowing the filling in of creeks.

Rivers, creeks, streams, and the lands around them exist where they do and in a particular configuration for a reason. They evolved over time according to the geography of the area. Human encroachment in the form of residential and business development does not change the large-scale geography or the geological characteristics of the area, so when humans move in, they put themselves at risk of being flooded. Not only that, but they degrade water quality and habitat for wild and plant life adapted to riparian ecosystems by altering the area. We've all seen the negative impacts of both developing within a floodplain and altering riparian areas - just look at the billions of dollars that have been spent to rebuild flooded communities across the nation, and the effort needed to restore ecosystems damaged by human alteration of riparian areas. Let's not repeat past mistakes.

Thank you for your time and consideration.

Sincerely,  
Kathryn Wells  
1661 Pawnee St. #4  
Lincoln, NE 68502

**DIRECTORS' MEETING  
MINUTES  
MONDAY, MAY 10, 2004  
CONFERENCE ROOM 113**

**Council Members Present:** Jon Camp, Chair; Terry Werner, Vice-Chair; Jonathan Cook, Ken Svoboda, Patte Newman, Glenn Friendt, Annette McRoy.

**Others Present:** Mayor Coleen Seng, Mark Bowen, Ann Harrell, Corrie Kielty, Darl Naumann, Lin Quenzer, Mayor's Office; City Clerk, Joan Ross; Dana Roper, City Attorney; Directors and Department Heads; Darrell Podany, Aide to Council Members Camp, Friendt, & Svoboda; Tammy Grammer, City Council Staff and Nate Jenkins, Lincoln Journal Star Representative.

Mr. Camp stated at 11:30 a.m. they have the Police Department-Memorial Service, so they're going to make this tight as they can. So with that they'll start, Mayor.

**I. MAYOR**

Mayor Coleen Seng stated to Council that she'll quickly go through some things.

Mayor Seng said the power was off this weekend and they've not been notified from LES what the problem was only what was in the newspaper yesterday.

Mayor Seng indicated that they had some water off in a certain area and it was only supposed to be off for a little while and unfortunately some people that had their power off also had their water off. So, people were not real thrilled about it.

Mayor Seng stated that they had a lot of big events last week and she thinks Lynn Johnson will want to report on the Sunken Gardens.

Mayor Seng reported a little bit on "A" Street. They have delayed the three lane piece on "A" Street and Council probably have been getting a tone of E-Mail's from Trinity United Methodist Church. Mayor Seng commented they need to do a better job on public process and they need to have some updated topic figures and she'll let Allan [Abbott] talk about it.

Mayor Seng indicated that she wants to make sure they've got the old Federal building opening on their calendar for May 18<sup>th</sup>.

She knows they're doing the flood plain today and SRT Meetings are all being scheduled.

Mayor Seng commented Allan [Abbott] can talk about “A” Street now. Allan Abbott stated that they will be taking traffic counts before and after some of the streets close. That’s one of the reasons they really wanted to get “A” Street striped with South Street closed and it would be nice to have it. Mr. Abbott commented he does agree with the Mayor, they did not have.. shall he say a public process that provided information that would make some people comfortable. The other hand Trinity Church have problems, losing five parking spaces is not going to solve their problem. But, they will work with them and the Mayor has a letter going out to everyone. The important part that he thinks is it’s postponed. They postponed it at least a year, they will get additional traffic counts made both with and without South Street.

Mayor Seng commented Lynn [Johnson] can report now. Lynn Johnson stated on Friday with the Mayor’s assistance the Parks & Recreation Foundation announced the end of the fund-raising campaign for renovations of Sunken Gardens. They’re in the process of finalizing the contract with Sampson construction, who will be the construction manager of the building project. Hopefully, by late this month, they’ll see additional construction going on and much of the construction should be finished by this fall. Mr. Johnson said that they’re planning a rededication for next spring. Mr. Johnson stated to Council that he wants to ‘thank’ them for their support through this as well and the community was very generous and they appreciate all the help from the community as well.

- \*1. Washington Report - April 23, 2004. — NO COMMENTS
- \*2. NEWS ADVISORY - RE: Mayor Seng will have a news conference at 10:00 a.m., Thursday, April 29<sup>th</sup> - The Streets, Roads and Trails Committee, appointed by the Mayor in January, will present its report on financing streets in Lincoln. — Mayor Seng mentioned this issue during her comments to Council under “I. Mayor”.
- \*3. NEWS RELEASE - RE: Mayor’s Streets, Roads and Trails Committee Announces Community Dialogue On A Plan For Building Lincoln’s Future. — Mayor Seng mentioned this issue during her comments to Council under “I. Mayor”.
- \*4. Report - RE: Building Lincoln’s Future ... Mayor’s Advisory Committee Streets, Roads, and Trails - 2004 April - Interim Report - SRT Committee. - (Council copies placed in their Thursday packets on 4/29/04-Patte & Terry received a copy of it already)(Copy of this Report is on file in the City Council Office). — NO COMMENTS

5. Washington Report - April 30, 2004. — NO COMMENTS
6. NEWS ADVISORY - RE: Mayor Coleen Seng will participate in a ground breaking ceremony for CenterPointe's new adult residential program at 9:30 a.m., Thursday, May 6<sup>th</sup>. — NO COMMENTS
7. NEWS RELEASE - RE: Construction Under Way On New CenterPointe Residential Facility. — NO COMMENTS
8. NEWS RELEASE - RE: Portion Of North 14<sup>th</sup> To Close For Construction & Lane Of "O" Street To Close For Improvements. — NO COMMENTS

## II. CITY CLERK

City Clerk Joan Ross stated to Council just FYI, Items 9 & 16 [04-93, *Change of Zone 04002-Application of Stone Bridge Creek, L.L.C. for a change of zone from R-3 Residential to B-2 Planned Neighborhood Business District, on property generally located at North 14<sup>th</sup> Street and Arbor Road; and 04R-100, Special Permit 04004 - Application of Stone Bridge Creek L.L.C. to develop Stone Bridge Creek Community Unit Plan for 759 dwelling units and requested waivers to eliminate the preliminary plat process, to allow increased lot depth-to-width ratio, to allow double frontage lots along Alvo Road, and to delay the filing of a use permit, on property generally located at North 14<sup>th</sup> Street and Arbor Road*] are connected items.

City Clerk Joan Ross stated Items 12, 13 & 14 [04R-96, *Approving an Agreement between the City and the Nebraska Department of Roads for reimbursement of eligible Federal Funds for design engineering, right-of-way, non-betterment utility rehabilitation, construction and construction engineering for the Antelope Valley Y Street Bridge and Roadway Project; 04R-97, Approving Supplemental Agreement No. 1 between the City and the Nebraska Department of Roads for reimbursement of eligible Federal Funds for the Antelope Valley Vine Street Bridge and Roadway Project; and 04R-98, Approving Supplemental Agreement No. 1 between the City and the Nebraska Department of Roads for reimbursement of eligible Federal Funds for the Antelope Valley Military Road and Bridge Project*] are all agreements with the Department of Roads, so could these items be called together for Public Hearing. Mr. Camp replied 'yes'.

City Clerk Joan Ross stated for Item 18 [04-66, *Approving the transfer of unspent and unencumbered appropriations and cash between capital improvement projects within the Public Works & Utilities Department, Urban Development Department, and Parks & Recreation Department and designating the funding source for street projects to be funded from the recent issuance of Highway Allocation Bonds in FY 04/05 and transferring dollars made available to those projects to other street projects within the Department of Public Works & Utilities*] they have a Motion-To-Amend.

City Clerk Joan Ross stated for Item 31 [04-99, *Change of Zone 04026 - Application of the Country Club and Irvingdale Neighborhood Associations for a change of zone from R-4 Residential District to R-2 Residential District on property generally located between 17<sup>th</sup> and 30<sup>th</sup> Streets from South Street to Woodcrest Street*] they just now have two Motions-To-Amend, which she handed out to them.

City Clerk Joan Ross stated to Council that she believes that's all, unless someone had a question.

Mr. Cook stated on Item 59 [04-46, *Amending the Lincoln Municipal Code by repealing Section 24.50.050, Permits and Inspections for private water and sewer main installation*] that's the earlier version of Item 8 [04-91, *Repealing Chapter 24.50 of the Lincoln Municipal Code, Sewer Main and Water Main Systems on Private Property*] so do they just withdraw it. City Clerk Joan Ross stated to Mr. Cook 'yes', depending on their action. Mr. Cook stated okay because that one he thought might be obsolete, but they put it on Pending. City Clerk Joan Ross stated 'yes', once they have action on the other item than it will be removed.

### III. CORRESPONDENCE

#### A. COUNCIL REQUESTS/CORRESPONDENCE

##### ANNETTE McROY

1. OUTSTANDING Request to Public Works & Utilities Department/  
**Lancaster County Engineering - RE: Future plans for NW 4<sup>th</sup> 48th Street (RFI#147 - 3/18/04) - (Sent Corrected Copy out on 3/22/04). — 1.) SEE RESPONSE FROM RANDY HOSKINS, PUBLIC WORKS & UTILITIES DEPARTMENT RECEIVED ON RFI#147 - 3/26/04. — NO COMMENTS**



2. OUTSTANDING Request to **Law Department/** Animal Control - RE: Cats leash Law - (RFI#149 - 04/23/04). — **1.) SEE RESPONSE FROM BRUCE DART, HEALTH DEPARTMENT DIRECTOR RECEIVED ON RFI#149 - 5/04/04.** — NO COMMENTS

#### **PATTE NEWMAN**

1. OUTSTANDING Request to **Ernie Castillo, Wynn Hjermsstad, Marc Wullschleger, Urban Development Department/** Terry Bundy, LES/**Allan Abbott, Public Works & Utilities Director/Mike DeKalb, Marvin Krout, Planning Department/Lynn Johnson, Parks & Recreation Director** - RE: Signs or banners identifying individual neighborhoods - (For Witherbee and Eastridge area) - (RFI#20 - 3/24/04). — **1.) SEE RESPONSE FROM TERRY BUNDY, LES RECEIVED ON RFI#20 - 4/12/04.** — NO COMMENTS
2. OUTSTANDING Request to **Nicole Fleck-Tooze, Dennis Bartels, Allan Abbott, Public Works/Tonya Skinner, Dana Roper, City Law Dept./Marvin Krout, Planning** - RE: A resident of the Easthart Neighborhood a problem they had in their development - the commons area between 78<sup>th</sup> St. & Maxey School - (RFI#21- 4/29/04). — NO COMMENTS
3. OUTSTANDING Request to **Nicole Fleck-Tooze, Allan Abbott, Public Works & Utilities Department** - RE: A constituent in the 8200 block of “A” Street - the City is asking their homeowner’s association to pay for maintenance of a commons area - (RFI#22 - 4/29/04). — NO COMMENTS

#### **JON CAMP**

- \*1. Letter from Tim Johnson to Jon Camp - RE: To express my hope that the original language in the recently passed flood plains ordinance be re-instated. — NO COMMENTS
- \*2. Memo from Bill Bucher, Principal Lux Middle School to Jon Camp - RE: StarTran Bus Route. — NO COMMENTS
3. E-Mail from Marcia Matthies to Jon Camp - RE: “A” Street Restriping 10<sup>th</sup> to 27<sup>th</sup>. — NO COMMENTS

4. E-Mail from Jon Camp to J. Callen - RE: Sediment concerns. —  
NO COMMENTS

#### **TERRY WERNER**

1. OUTSTANDING Request to **Public Works & Utilities Department** - RE: Planned Work at Warlick Blvd./Old Cheney Road/Creekside Drive - (RFI#126 - 04/21/04). — NO COMMENTS
2. Request to Allan Abbott, Public Works & Utilities Director - RE: Proposed Changes on “A” Street - 10<sup>th</sup> to 27<sup>th</sup> - (RFI#127 - 5/03/04). —  
NO COMMENTS

#### **GLENN FRIENDT**

1. Request to Marc Wullschleger, Urban Development Director - RE: AHNA Steering Committee Report - (RFI#30 - 4/28/04). — **1.) SEE RESPONSE FROM MARC WULLSCHLEGER, URBAN DEVELOPMENT DIRECTOR RECEIVED ON RFI#30 - 5/04/04.** — NO COMMENTS
2. Request to Allan Abbott, Public Works & Utilities Department - RE: “A” Street center lane traffic (RFI#32 - 5/03/04). — NO COMMENTS

#### **GLENN FRIENDT & ANNETTE McROY**

1. Request to Allan Abbott, Public Works & Utilities Director/Police Chief Tom Casady - RE: Traffic safety on South 25<sup>th</sup> Street from N to J - (GF--RFI#31&AM--RFI#150). — **1.) SEE RESPONSE FROM POLICE CHIEF TOM CASADY RECEIVED ON RFI#31-GF & RFI#150-AM.** — NO COMMENTS

#### **JONATHAN COOK**

1. Request to Health Department - RE: Smoking Law - (RFI#112 - 4/30/04). — **1.) SEE RESPONSE FROM BRUCE DART, HEALTH DEPARTMENT DIRECTOR RECEIVED ON RFI#112 - 5/04/04.** — NO COMMENTS
2. Request to Public Works & Utilities Department - RE: Detour Traffic Problems - (RFI#113 - 5/04/04). — NO COMMENTS

## **B. DIRECTORS AND DEPARTMENT HEADS**

### **CITY LAW DEPARTMENT**

1. Inter-Department Communication from Tonya Skinner - RE: Bill No. 04-92  
- This memo is an attempt to summarize the proposed amendments to the Lincoln Smokefree Air Act - (Council received copies of this memo on 5/3/04). — Mr. Camp stated that he believes this issue is going to come up again today. Mr. Cook commented regarding that he understands it has been put back on the Agenda for 1<sup>st</sup> Reading, he's not quite sure why and it makes no particular sense to him. Mr. Cook suggested what they might want to do today is pick up a date for the Public Hearing maybe the night meeting on May 24<sup>th</sup> and give some of them a chance to discuss with Bruce [Dart] any possible changes that they could have on it. Mr. Svoboda commented amazingly our rules allow us to remove something and our rules also allow us to place something on the Agenda. So, that's what he did because they have an ordinance that goes into effect July 1, unless they change that, they have to have something in place. They can't keep delaying it just because Council doesn't have an understanding without doing the research on it. So, by putting it back on the Agenda that puts us back into a public hearing mode and gets everybody off their.. Mr. Werner commented to Mr. Svoboda even though a majority voted to withdraw it, you thought you should just put it on. Mr. Svoboda replied 'yes', the rules allow him to do that, so he did. Mr. Werner commented 'well' that seems a little inconsiderate, when five of them voted...he thinks, it was five last week to take it off and get a bite more of an understanding and then you just put it on. Mr. Werner stated that he thinks the reason they did that is not because they didn't want the ordinances, it just showed up there and they wanted to make sure they had an understanding and the public had an understanding before it went to public hearing. Mr. Svoboda stated first of all, it didn't just show up, he had been reporting for months that the Health Department was working on these and they had a meeting with Bruce of which they sat here at a "Noon" Meeting and discuss all of this with him. So, they were all aware of what was going on all along the process and an ordinance was brought forward just like every other ordinance is brought forward and they go through the public hearing process. Now, if there was some discussion as to maybe whether it should be put on Pending or [inaudible] that's one thing, but just to simply remove it from the

Agenda, he thought that was inappropriate because they have to comply on July 1<sup>st</sup>. They had a mandate that they passed last fall or actually earlier this year that it has to go into effect July 1<sup>st</sup>, unless they change it, something has to be done. So, that's why he put it back on the Agenda. Mr. Camp stated why don't they continue this discussion at the "Noon" Meeting, if that's alright, so they can keep on track.

## **FINANCE DEPARTMENT/CITY TREASURER**

- \*1. Material from Don Herz, Finance Director & Melinda J. Jones, City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased April 19, 2004 thru April 23, 2004. — NO COMMENTS
- 2. Material from Don Herz, Finance Director & Joel L. Wittrock, Assist. City Treasurer - RE: Resolution & Finance Department Treasurer of Lincoln, Nebraska - Investments Purchased April 26, 2004 thru April 30, 2004. — NO COMMENTS

## **FINANCE/INFORMATION SERVICES**

- 1. Response E-Mail from Jim Walkenhorst - RE: E-Mail received from Douglas W. Lambert request of some information - dog tag licenses. — NO COMMENTS

## **FIRE DEPARTMENT**

- \*1. Letter from Fire Chief Mike Spadt to James E. Kamas - RE: His billing concerns. — NO COMMENTS

## **HEALTH DEPARTMENT**

- \*1. NEWS RELEASE - RE: National Infant Immunization Week from April 25<sup>th</sup> to May 1<sup>st</sup>. — NO COMMENTS
- \*2. NEWS RELEASE - RE: News Conference Today - Mayor Seng will kick off National SAFE KIDS Week with a news conference to highlight the week's activities. — NO COMMENTS

- \*3. NEWS RELEASE - RE: Free Family Safety Event Set For May 7 - Local coalition focusing on water safety as part of National Safe Kids Week. — NO COMMENTS
- \*4. Letter from Bruce Dart to Irma Sarata - RE: Your concerns about the development of Long View Estates and will try to respond to those areas that are relevant to the regulations of the Lincoln/Lancaster County Health Dept. (LLCHD). — NO COMMENTS
- 5. NEWS RELEASE - RE: Events Scheduled For Women's Health Month. — NO COMMENTS
- 6. Memo from Harry A. Heafer - RE: Keep America Beautiful's Cigarette Litter Prevention Research Program. — NO COMMENTS

## **LIBRARY**

Mr. Camp stated that he understands the Library had a great fund-raiser Friday night.

- 1. NEWS RELEASE - RE: Reading Programs Offered This Summer @ your library. — NO COMMENTS
- 2. NEWS RELEASE - RE: Golden Sower Book Discussion Group - Teachers & Media Specialists Invited to Take Part. — NO COMMENTS

## **PARKS & RECREATION DEPARTMENT**

- 1. Response E-Mail from Jerry Shorney to Kathy Dixon - RE: CHNA trash container. — NO COMMENTS

## **PLANNING**

- \*1. - 2004 Annual Review Lincoln/Lancaster County Comprehensive Plan - 2025 Comprehensive Plan - Planning Commission Edition - April 28, 2004. (Council received their copies of this Material on 4/29/04 in their Thursday packets)(Copy on file in the City Council Office). — NO COMMENTS
- 2. Annexation by Ordinance - Ordinance No. 18333 - Effective Date: April 20, 2004 - 13.28 Acres. — NO COMMENTS

3. Letter from Becky Horner to Michael Johnson, Olsson Associates - RE: Eagle Crest 3<sup>rd</sup> Addition Final Plat #03055. — NO COMMENTS

#### **PLANNING COMMISSION FINAL ACTION .....**

- \*1. Special Permit No. 04018 (Private vocational/technical school - No. 27<sup>th</sup> & Old Dairy Road) Resolution No. PC-00861. — NO COMMENTS
- \*2. Special Permit No. 1778B (Extension of excavation permit north and east of 56<sup>th</sup> Street & Arbor Road) Resolution No. PC-00859. — NO COMMENTS
- \*3. Waiver No. 04006 (W. Stockwell Street and S. Folsom Street) Resolution No. PC-00860. — NO COMMENTS

#### **PUBLIC WORKS & UTILITIES DEPARTMENT**

- \*1. Public Works & Utilities ADVISORY - RE: 84<sup>TH</sup> Street Water Main and Roadway Improvements Are Beginning Project 700779. — NO COMMENTS
- \*2. Letter from Ben Higgins to Robert D. & Elizabeth C. Smith - RE: Sevenoaks 9<sup>th</sup> Addition, Outlot A. — NO COMMENTS
- \*3. Memo from Ben Higgins - RE: Pine Lake Heights Homeowners Association Pond. — NO COMMENTS
4. Letter from Dennis Bartels to Jan Cepure - RE: Concerning the poor drainage and street conditions in 63<sup>rd</sup> Street south from Fremont approximately 2-1/2 blocks. — NO COMMENTS
5. Response E-Mail from Randy Hoskins to Rick Reeble - RE: "A" Street Project. — NO COMMENTS
6. Public Works & Utilities ADVISORY - RE: Water Main Project 500200 - North 14<sup>th</sup> Street; Superior Street - Fletcher Street. — NO COMMENTS

#### **REAL ESTATE DIVISION**

1. Interoffice Memo from Clinton W. Thomas - RE: Street & Alley Vacation No. 03020 East-West Alley between South and Saylor Streets, west of 55<sup>th</sup> Street. — NO COMMENTS

## **WEED CONTROL AUTHORITY**

1. Combined Weed Program - City of Lincoln - April 2004 Monthly Report.  
— NO COMMENTS

## **C. MISCELLANEOUS**

- \*1. E-Mail from Jennifer M. Perry & David DiLillo - RE: Parking on A Street in front of Trinity United Methodist Church. — NO COMMENTS
- \*2. Letter from Lisa M. Peterson - RE: Writing to ask you to change the (d) portion of 9.20.050 to an infraction versus a misdemeanor - 9.20.050 is the disturbing the peace law and the (d) portion makes operating any radio, tape player, compact disc player, stereophonic sound system or similar device audible to other persons in public places more than fifty feet from the source a misdemeanor or criminal offense with a minimum fine of \$150. — Ms. Newman brought this issue up later on under “V. City Council Members-Patte Newman”. (See that discussion)
- \*3. 3 - E-Mail’s from Cheryl Richter; Janis J. Heim; Quentin & Mary Murrell; - RE: Changes to A Street. — NO COMMENTS
- \*4. E-Mail from Karin Fuog - RE: StarTran route from Lux to Vintage Heights. — NO COMMENTS
- \*5. E-Mail from Sue Kirkland, Administrative Assistant, Trinity United Methodist Church - RE: “A” Street. — NO COMMENTS
- \*6. E-Mail from Douglas Lambert, Lambriar Animal Health Care LLC in Kansas, which was forward to Jim Weverka, Animal Control Chief - RE: Dog tag licenses. — NO COMMENTS
- \*7. E-Mail from Brenda & David Kubicek - RE: A Street Project. — NO COMMENTS
- \*8. E-Mail from Sara Friedman - RE: The Flood Plain issue. — NO COMMENTS
- \*9. E-Mail from Cindy Mefford - RE: “A” Street Turning Lane Project. — NO COMMENTS

- \*10. Letter & Material from Russell Miller - RE: The Flood Plain issue. —  
NO COMMENTS
- 11. E-Mail from Mary Ann Bede - RE: “A” Street Changes. —  
NO COMMENTS
- 12. E-Mail from Rick Reeble - RE: “A” Street Project - (See E-Mail) (Note:  
Response E-Mail from Randy Hoskins, Public Works & Utilities  
Department to Rick Reeble under “Public Works & Utilities Dept. - #5”).  
— NO COMMENTS
- 13. E-Mail from Carmen K. Maurer - RE: Changes to Parking on “A” Street. —  
NO COMMENTS
- 14. Faxed letter from Michael Storey - RE: Smoking is optional, breathing is  
not. — NO COMMENTS
- 15. Article - RE: HomeServices CEO earns Realtor of the Year honor. —  
NO COMMENTS
- 16. Letter from Penny Pueppke - RE: The elimination of parking along “A”  
Street - between 15<sup>th</sup> & 16<sup>th</sup>. — NO COMMENTS
- 17. Letter from Teri Gonzalez & Family - RE: Flood Insurance costs - (Council  
received copies of this letter on 5/3/04). — NO COMMENTS
- 18. Letter from Mary Roseberry-Brown, President, Friends of Wilderness Park  
- RE: Submits the following two amendments to the proposed Flood  
Standards for New Growth Areas: — NO COMMENTS
- 19. E-Mail from Mike Carlin with response from Joan Ray - RE: Clarification -  
the new growth area flood plain standards. — NO COMMENTS
- 20. E-Mail from Susan Sapp & E. Wayne Boles - RE: “A” Street Striping  
Project. — NO COMMENTS
- 21. E-Mail from Dave Brady - RE: 84<sup>th</sup> Street Construction. —  
NO COMMENTS
- 22. Material from Michael Kane - RE: The Mayor - (See Material) —  
NO COMMENTS



- 23. E-Mail from John Layman - RE: New Flood plain Ordinance. — NO COMMENTS
- 24. E-Mail from Cindy Williams, Director of Youth Ministries, Trinity United Methodist Church - RE: "A" Street. — NO COMMENTS
- 25. E-Mail from Walter A. Canney - RE: Smoke free work place - Lawrence (KS) Passes Smokefree Workplace Legislation. — NO COMMENTS
- 26. E-Mail from Rebecca Burt - RE: "A" Street — NO COMMENTS

**IV. DIRECTORS - NO FURTHER COMMENTS**

**V. CITY COUNCIL MEMBERS**

**PATTE NEWMAN**

Ms. Newman stated that she's got a bunch of things, but she'll call people. But, one of them involves a letter that she received about noise ordinances being a misdemeanor instead of an infraction and she doesn't know who makes that call, but she would like to talk to someone about it. Mr. Camp stated that he thinks several of them got that communication. Mr. Cook said that he also wanted to follow up on it because from his understanding that there's another City ordinance. They didn't actually have that kind of flexibility and yet here it's indicated in this letter that the Law Department recommended it. So, he wants to follow up on it. Ms. Newman stated that she can do a RFI (Request For Information) on it and then they'll all receive copies of the response. Mr. Cook stated to Ms. Newman okay and 'thanked' her.

**JONATHAN COOK - NO FURTHER COMMENTS**

**GLENN FRIENDT - NO COMMENTS**

**TERRY WERNER - NO COMMENTS**

**ANNETTE McROY - NO COMMENTS**

**KEN SVOBODA - NO COMMENTS**

**JON CAMP - NO COMMENTS**

Mr. Camp adjourned the meeting at this time. - [Approximately at 11:26 a.m.]

**ADDENDUM - (For May 10<sup>th</sup>)**

**I. MAYOR**

1. NEWS ADVISORY - RE: Mayor Coleen Seng and the Lincoln Parks & Recreation Foundation will have an announcement about the fund-raising campaign to renovate the Sunken Gardens at a news conference at 9:00 a.m., Friday, May 7<sup>th</sup>. — Mayor Seng mentioned this issue earlier during her comments to Council under “I. Mayor”. She had Lynn Johnson report on it. (See that discussion)
2. NEWS RELEASE - RE: Sunken Gardens Campaign Reaches Goal - Construction to begin this month. — Mayor Seng mentioned this issue earlier during her comments to Council under “I. Mayor”. She had Lynn Johnson report on it. (See that discussion)

**II. CITY CLERK - NONE**

**III. CORRESPONDENCE**

**A. COUNCIL REQUESTS**

**JON CAMP**

1. Response E-Mail from Jon Camp to Doug Rotthaus, Lincoln Realtors - RE: Proposed flood plain regulations. — NO COMMENTS

**B. DIRECTORS AND DEPARTMENT HEADS**

**HEALTH DEPARTMENT**

1. NEWS RELEASE - RE: Lincoln Gets an “A”. — NO COMMENTS

**C. MISCELLANEOUS**

1. Letter from Rosalind Morris - RE: The hearing on the Flood Standards last Monday evening. — NO COMMENTS
2. E-Mail from Kathryn Wells - RE: Flood Plain Ordinance. — NO COMMENTS

**VI. MEETING ADJOURNED - Approximately at 11:26 a.m.**

**\*HELD OVER FROM MAY 3, 2004.**

dm051004/tjg